

State of Missouri Public Defender Commission



Fiscal Year 2007 Annual Report

Assuring the Public Defense

The Right to Counsel and the State Public Defender System in Missouri

J. Marty Robinson, State Public Defender, Director
Kathleen L. Lear, Comptroller/Legislative Liaison

[Http://www.publicdefender.mo.gov](http://www.publicdefender.mo.gov)

October 1, 2007



**Office of the State Public Defender
231 East Capitol**

Jefferson City, Missouri 65101
573-526-5210 – Phone 573-526-5213 – Fax

J. Marty Robinson
Director

Kathleen L. Lear
Comptroller

M E M O R A N D U M

TO: Governor Blunt
Chief Justice Stith
Members of the Supreme Court
Members of the General Assembly
Presiding Judges

FROM: J. Marty Robinson, Director
Members of the State Public Defender Commission

DATE: October 1, 2007

RE: Fiscal Year 2007 Annual Report

Missouri's State Public Defender System continues to operate in a crisis mode.

Unfortunately, this is old news for many of you. Some may tire of hearing it, but refusing to will not improve the situation nor make the problem go away. Fortunately, many of you have already recognized the problem, and are working to address it. There remains much to do.

During this past legislative session, the Interim Senate Committee on the Public Defender released its report. Chaired by Senator Jack Goodman and comprised of Senators Michael Gibbons, Luann Ridgeway, Joan Bray and Chuck Graham, this Interim Committee held hearings and gathered evidence to assist them in developing legislation to address the crisis. Representatives Jim Lembke and Rachel Bringer, as well as Senator Maida Coleman, have served on the Missouri Bar's Task Force on the Public Defender to elicit ideas and support for solutions from members of the judiciary, prosecuting attorneys, bar association leaders, the defense bar, public defender commissioners, and the governor's general counsel.

We are most grateful for the leadership of Senate President Pro Tem, Michael Gibbons, and Doug Copeland, past President of the Missouri Bar. Thanks in large part to their efforts; awareness of the crisis has grown, within both the legislative and legal communities. We remain hopeful, and look for progress this coming year, because this report continues to show a public defender system in crisis.

Attorney caseload and turnover remain critical issues. Caseloads are too high, which hurts retention. The resulting turnover means new, generally less experienced attorneys have more and more cases, which in turn leads to even more attorney turnover. It is a vicious cycle.

Attorney turnover was over 130% for the past seven years combined. That is not to say all Missouri public defenders have left the system. Some are veterans of seven or more years, but many positions have turned over multiple times, often in rural areas of the state. This is generally due to low pay and caseloads close to twice the Department of Justice's national standards for public defender caseloads. In addition, the American Bar Association has issued an ethical advisory opinion warning that public defenders have the same ethical obligations as private attorneys to not take on more cases than they can effectively handle. In short, public defenders can face the same professional discipline as private attorneys, but public defenders are without a mechanism to control their own caseload.

Unlike other state agencies with multiple missions, the Missouri State Public Defender System is tasked with only one responsibility: meeting the state's constitutional obligation to provide effective assistance of counsel to those who are charged in Missouri's criminal courts and are unable to afford their own attorneys. The workload is determined by the number of cases that come through the door and the level of service required is constitutionally mandated.

The State Public Defender has done all it can internally to address the crisis. MSPD has eliminated its 15-year-old Alternative Sentencing program, converting those FTE to attorney positions. In the long term this was not a cost effective move for the state as a whole. Regrettably, the attorney positions were needed in the short-term to address immediate caseloads. MSPD also closed two offices, one in Kansas City and another in St. Louis, dedicated to juvenile court representation. Since 1997 these offices specialized in the representation, treatment and placement of juveniles. Like Alternative Sentencing, this was a worthwhile long-term use of MSPD resources that was sacrificed at the later of short-term needs.

The final, and now only, option available is cutting services to fit within existing staffing levels. Only by refusing cases, a move that would precipitate a constitutional crisis in Missouri's courts, can Missouri's Public Defenders meet the ethical considerations they are bound by. A solution must come from outside the Public Defender System and it must come soon.

Once again, this year's budget request seeks new attorneys, just to handle the existing caseload. This does not account for any projections of what caseload may be for the coming year, but only addresses current caseload. An alternative budget proposal requests the creation of a case overload appropriation from which to pay private attorneys to handle those cases in excess of applicable national caseload standards. Contracting cases is a more expensive option, but either would bring critical caseload relief and place Missouri back on sound constitutional ground in its provision of indigent defense.

Other budget requests include increases in attorney salaries and a loan repayment assistance plan in hopes of stemming the tsunami of public defender turnover. The continual recycling of attorney positions has a direct impact on the caseload crisis. It is also expensive and inefficient to the State of Missouri. The Personnel Advisory Board estimates turnover costs 25% of position salaries when considering the benefits of employee retention. The cost of MSPD's turnover is a staggering \$4,119,945, over 12% of the total annual budget.

Finally, as experienced attorneys leave and are replaced by new, inexperienced ones, cases are delayed time and time again. More time is spent by the few remaining experienced attorneys training the new ones, leaving even less time for work on their own cases. The result is that victims and defendants wait longer and longer for their day in court, while jails and court dockets bulge with old cases. The risk of an innocent person being convicted and the risk of an accurate conviction being overturned due to ineffective assistance of counsel continue to rise. Either way, the citizens of Missouri are not being well-served.

We thank you for your support and interest in Missouri's Public Defender System.

Table of Contents

Description of the Missouri State Public Defender System -----	5
A Timeline of Missouri's Public Defender System -----	6
What Does a Public Defender Do -----	7
Caseload History & Analysis-----	10
Trial Division Opened Cases-----	12
New Cases Opened—By District -----	14
New Cases Opened—By Charge Code -----	21
Disposed Caseload—By District -----	32
Opened and Disposed Cases By County-----	39
Trial Division District Map -----	55
Civil Commitment Defense Unit -----	56
Conflict Assignments-----	57
Appellate Caseload -----	58
Capital Caseload -----	61
Appropriations & Cost of Closed Cases-----	63
Fiscal Year 2009 Budget Request -----	66
Missouri State Public Defender Office Roster -----	98
Missouri State Public Defender Commission Roster -----	102

Public Defender Commission
Annual Report - Fiscal Year 2007

I. The Public Defender System

In response to the guarantee of effective assistance of counsel contained in both the United States and Missouri constitutions, the Missouri State Public Defender System was established on April 1, 1982 as a "system for providing defense services to every jurisdiction within the state by means of a centrally administered organization having a full-time staff". Through this Department of State government, constitutionally required defense services are provided to eligible persons. This was accomplished through an organized program able to respond to the needs of all judicial jurisdictions within the state. As the caseloads have increased with no corresponding increase in resources, the Public Defender is no longer capable to respond to all of these needs.

THE CONSTITUTIONAL MANDATE FOR PUBLIC DEFENSE

The United States Supreme Court has interpreted the Sixth Amendment of the U.S. Constitution to require the appointment of counsel in any state or federal criminal prosecution that may lead to imprisonment for any period of time.

See generally, *Alabama v Shelton*, 535 US 654, 662 (2002); *Strickland v Washington*, 466 U.S. 688, 684-86 (1984); *Scott v Illinois*, 440 U.S. 367, 373-74 (1979); *Argersinger v. Hamlin*, 407 U.S. 25, 30-31 (1972); *Gideon v. Wainwright*, 372 U.S. 335, 342-45 (1963).

CONSTITUTION OF THE UNITED STATES OF AMERICA

BILL OF RIGHTS, AMENDMENT VI

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

CONSTITUTION OF THE STATE OF MISSOURI

ARTICLE I, SECTION 18(A)

That in criminal prosecutions the accused shall have the right to appear and defend, in person and by counsel; to demand the nature and cause of the accusation; to meet the witnesses against him face to face; to have process to compel the attendance of witnesses in his behalf; and a speedy public trial by an impartial jury of the county.

Indigent Defense Services in Missouri: A Time Line

1963— *Gideon v. Wainwright*: The U.S. Supreme Court ruled that the Sixth Amendment to the U.S. Constitution's guarantee of the right to assistance of counsel in one's defense in a criminal prosecution extended even to those unable to hire their own attorney.

1972— Missouri enacted Chapter 600 gathering together a blended system of local public defender offices and appointed counsel programs under the auspices of a Public Defender Commission. Funding was provided by federal Law Enforcement Assistance Grants through the Department of Justice. In Missouri, these funds, along with additional "High Impact" grants for urban areas, were used to create public defender offices in St. Louis and Kansas City, and to pay appointed counsel in the rest of the state.

1977— Eighteen of Missouri's 43 judicial circuits were covered by public defender offices, with the remainder still relying on an appointed counsel system under which the judge assigned cases to members of the private bar. OSCA administered the program for the Public Defender Commission.

1982— The Office of the Missouri State Public Defender was created as an independent state department within the judicial branch. The appointed counsel program was eliminated in favor of contract counsel - private practitioners who agreed to take on all indigent clients in a particular area in return for a set contract fee, with supplemental adjustments as appropriate based on numbers and types of cases.

1989— Due to the rising cost of the contract counsel program and the increasing difficulty finding private practitioners willing to take on indigent cases for the fees paid by the State Public Defender System, the system was reorganized under the administration of Governor John Ashcroft. The new system eliminated all contract arrangements and replaced them with public defender offices, staffed with full time public defenders, covering all counties in the state.

The Missouri State Public Defender System was also reorganized at that time into three legal services divisions -- Trial, Appellate/Post-Conviction Relief, and Capital - in order to improve efficiency through specialization of practice areas. The Trial Division (a map detailing the trial district offices can be found on page 55 of this report) provides legal services at the trial level throughout the state and is subdivided into thirty-six district offices. The Appellate Division, which provides legal services for cases in the Appellate and Supreme Courts and with post-conviction matters in the trial courts, has offices in Kansas City, St. Louis, and Columbia. The Capital Division, which provides representation in cases at trial and on appeal when the death penalty is sought by the prosecution, has offices in Kansas City, St. Louis, and Columbia.

Because of the caseload overload, almost all District Defenders are also carrying full caseloads, leaving little to no time to attend to management responsibilities such as coaching, training, mentoring their employees; monitoring and correcting employee performance; addressing personnel issues; ensuring compliance with such federal mandates as Federal Wage and Hour laws, FMLA, etc. This failure contributes to turnover as employees become frustrated with the lack of supervisor support and responsiveness, jeopardizes client services as new attorneys are left without adequate supervision, and leaves the state at risk of liability due to these management failures.

Mission Statement

The mission of the Missouri State Public Defender System is to provide high quality, zealous advocacy for indigent people who are accused of crime in the State of Missouri.

The lawyers, administrative staff, and support staff of the Public Defender System will ensure that this advocacy is not compromised.

To provide this uncompromised advocacy, the Missouri State Defender System will supply each client with a high-quality, competent, ardent defense team at every stage of the process in which public defenders are necessary.

What Does a Public Defender Do?

Every Missouri Public Defender is an attorney, licensed to practice law in the State of Missouri. When an individual is accused of a crime and requests a lawyer, a referral is made to the public defender office handling the cases in the county where the charge has originated. After an accused makes application for public defender services, the public defender makes a determination using financial guidelines established by the State Public Defender Commission as to whether or not the accused is indigent and eligible for public defender representation. If the accused is found eligible by the defender, the defender undertakes representation of the accused. If the defender does not find the accused eligible, the accused may appeal the defender's determination to the court. Only then, and only if the court disagrees with the defender's determination, may the court order the defender to represent the accused.

In most jurisdictions, the public defender is the legal counsel for 75-80% of the cases on the criminal docket. The process of representing the indigent accused includes representing the client in all facets of the case. Defenders must interview witnesses, file for discovery, prepare and file appropriate motions, negotiate with the prosecution, prepare trial strategy and do the legal research necessary to provide representation to the client in a court of law. Representation of the accused extends to an appeal if, after the trial, the defendant is found guilty and to probation revocation matters.

MSPD has had no addition to its staff in six years while its caseload has risen by over 12,000 cases. According to an independent assessment by the Spangenberg Group in October, 2005, MSPD is operating in crisis mode and "the probability that public defenders are failing to provide effective assistance of counsel and are violating their ethical obligations to their clients increases every day".

Unlike every other state agency, MSPD only does one thing and it is constitutionally mandated. MSPD has no mechanism with which to control or reduce its workload to correspond with its staffing levels, short of refusing cases and throwing the state of Missouri into federal court for constitutionally violating the right of indigent clients to effective assistance of counsel.

An American Bar Association Opinion issued on July 6th, 2006 reiterates that Public Defenders are as obligated as any other attorney under their ethical and professional obligations to refuse cases when caseloads become too high for them to adequately handle the workload and to provide adequate representation. In Missouri, there is currently no back-up plan in place for provision of counsel, should the public defenders have to refuse cases in accordance with their ethical and professional obligations not to take on more cases than they can effectively handle.

Using data from fiscal year 2006, a composite example of a "typical trial division public defender" can be developed. In Fiscal Year 2006, the Trial Division of the Public Defender System opened 86,368 new cases. In Fiscal Year 2006, the Trial Division was allocated 292 attorney positions. Therefore, the "typical trial division public defender" opened 296 cases. This is well above the Department of Justice's National Advisory Commission on Criminal Justice Standards (NAC) recommended caseload for public defenders. The NAC standard is 225 cases per year.

The breakdown by category of cases handled by the "typical trial division defender" is shown below:

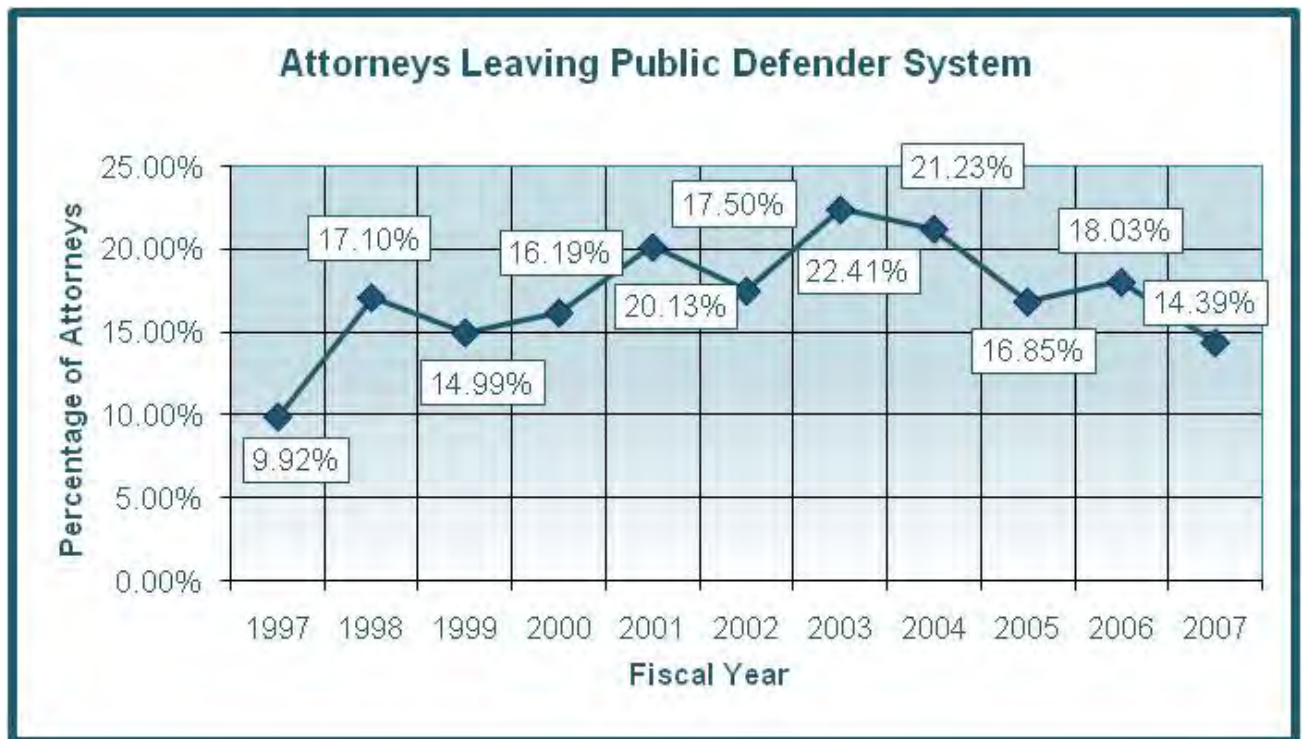
Fiscal Year 2007 State Public Defender Trial Division Typical Caseload	
Description	# of Cases
Homicide	1
A-B Felony	25
C-D Felony	95
Misdemeanor	66
Traffic	30
Juvenile	12
Probation Violations	66
Total Average Caseload Per Trial Division Attorney	295

Providing effective assistance of counsel in each case demands a well-trained, highly experienced corps of dedicated attorneys and support staff.

Over the last six years, MSPD has experienced the equivalent of 116% turnover in its attorney staff, averaging a 20% turnover each year. This past year, repositioning adjustment increases were given to MSPD attorneys to try to stem the flow, but the problem is far from solved. Staggering student debt loans (\$60,000—\$100,000) make it impossible for even those called to public interest employment to work for MSPD, make their loan payments, and provide for themselves and their families.

Public Defender salaries have not kept pace with those in the rest of the legal community. As a result of the relatively low salaries, high caseloads and heavy student loan debt, attorney turnover continues to be a challenge.

In March of 2006, the Personnel Advisory Board of the Office of Administration reviewed the salaries of the Missouri Assistant Public Defenders. Their summary stated: "the pay of the Missouri Assistant Public Defenders is behind the pay of comparable jobs or jobs requiring similar training and experience in the labor market." "...the minimum starting salary for MSPD Assistant Public Defenders would need to increase 14.5% to equate to the reported average minimum rate of pay of collected survey data."



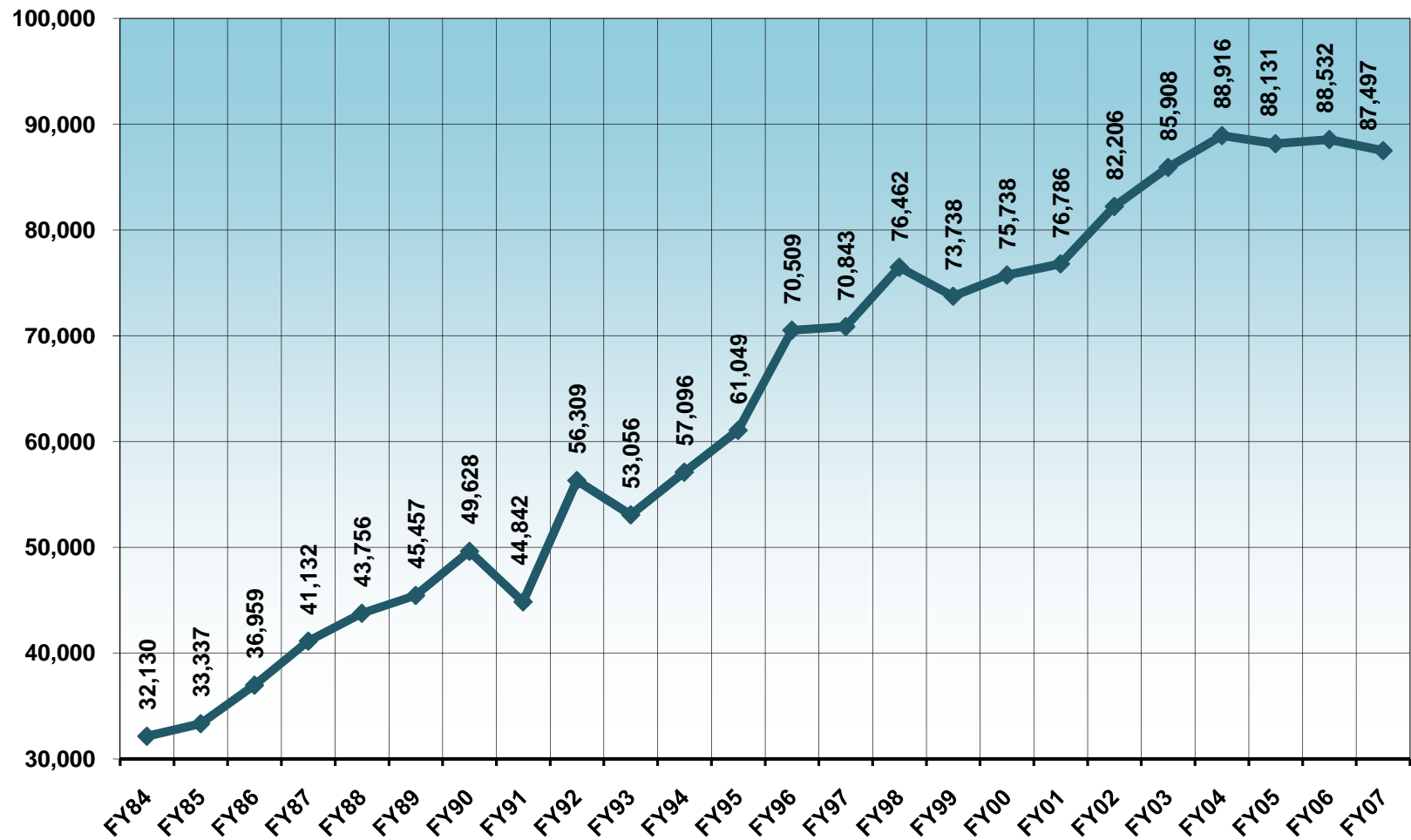
August-07

Missouri State Public Defender System

Cases Assigned by Case Type

	Murder 1st	Other Homicide	Felony	Murder + Felony Caseload	Misdemeanor	Juvenile	PCR	Other	Probation Violation	Appeals	Total Opened	Total Closed	Closed to Open Ratio
FY09 PROJECTION	175	187	37,972	38,334	31,030	3,445	917	135	22,781	797	97,439	93,091	0.9554
FY08 PROJECTION	175	174	36,512	36,861	29,379	3,412	871	132	20,891	769	92,315	89,023	0.9643
FY07 ACTUAL	174	161	35,109	35,444	27,816	3,380	828	129	19,157	743	87,497	85,133	0.9730
FY06 ACTUAL	138	146	35,339	35,623	28,227	3,676	838	46	19,412	710	88,532	83,260	0.9405
FY05 ACTUAL	156	124	33,282	33,562	28,931	3,881	937	120	20,012	688	88,131	87,180	0.9892
FY04 ACTUAL	154	140	34,422	34,716	28,018	4,258	807	98	20,263	756	88,916	86,356	0.9712
FY03 ACTUAL	195	114	35,425	35,734	25,807	4,147	806	103	18,479	832	85,908	81,059	0.9436
FY02 ACTUAL	163	132	33,183	33,478	25,147	3,918	802	64	18,047	750	82,206	77,165	0.9387
FY01 ACTUAL	182	125	29,934	30,241	22,903	4,488	711	82	17,663	698	76,786	73,438	0.9564
FY00 ACTUAL	147	109	28,019	28,275	24,119	4,998	763	76	16,768	739	75,738	69,591	0.9188
FY99 ACTUAL	182	108	28,892	29,182	23,721	4,629	797	112	14,488	809	73,738	74,570	1.0113
FY98 ACTUAL	196	87	31,591	31,874	24,676	4,270	674	138	14,141	689	76,462	74,495	0.9743
FY97 ACTUAL	169	79	29,663	29,911	21,912	4,075	513	156	13,437	839	70,843	67,870	0.9580
FY96 ACTUAL	175	88	30,198	30,461	23,069	3,612	707	178	11,444	1,038	70,509	70,664	1.0022
FY95 ACTUAL	256	109	27,688	28,053	17,696	3,916	719	165	9,362	1,138	61,049	61,710	1.0108
FY94 ACTUAL	255	152	25,338	25,745	17,852	3,374	682	201	8,225	1,017	57,096	52,453	0.9187
FY93 ACTUAL	301	136	24,402	24,839	15,883	3,146	766	249	7,301	872	53,056	52,363	0.9869
FY92 ACTUAL	282	37	25,458	25,777	19,974	3,372	1,129	167	5,321	569	56,309	55,651	0.9883
FY91 ACTUAL	193	63	21,304	21,560	13,941	2,713	588	169	5,051	820	44,842	49,038	1.0936
FY90 ACTUAL	227	109	23,336	23,672	14,627	3,300	732	369	5,834	1,094	49,628	46,425	0.9355
FY89 ACTUAL	193	149	20,838	21,180	12,902	3,298	1,342	418	5,074	1,243	45,457	42,532	0.9357
FY88 ACTUAL	202	161	20,640	21,003	12,427	3,455	1,006	470	4,475	920	43,756	40,117	0.9168
FY87 ACTUAL	199	145	19,254	19,598	11,736	3,564	755	443	4,308	728	41,132	37,081	0.9015
FY86 ACTUAL	166	175	17,042	17,383	10,602	3,328	612	611	3,815	608	36,959	34,491	0.9332
FY85 ACTUAL	152	172	15,397	15,721	9,126	3,500	543	522	3,293	632	33,337	32,410	0.9722
FY84 ACTUAL	176	175	15,048	15,399	9,256	3,058	534	499	2,878	506	32,130	31,730	0.9876

Public Defender Caseload Analysis



Caseload and Cost Highlights

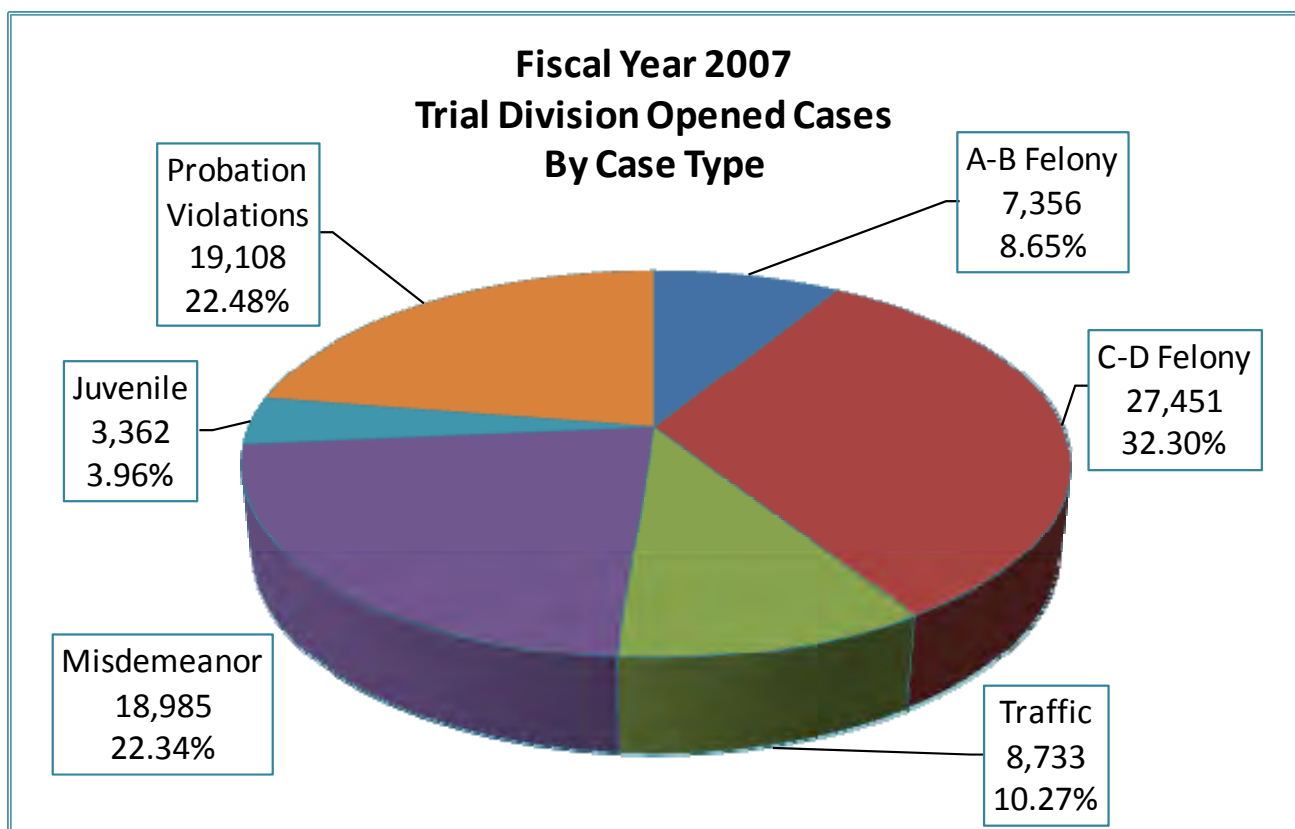
A. Caseload

1. New Trial Division Cases

The State Public Defender System's Trial Division opened 87,497 new cases in Fiscal Year 2007.

Of the 87,497 cases opened by the State Public Defender System, 84,995 or 97% were opened by the Trial Division

Fiscal Year 2007 Trial Division Opened Cases by Case Type		
Type Code	Description	Cases Opened
10	Murder - Death Penalty	0
15	Homicide - Non Capital	135
20	Other Homicides	148
30	A-B Felonies	7,073
35	C-D Felonies	27,451
40	Misdemeanor	18,985
45	Misdemeanor - Traffic	8,733
50	Juvenile Status	359
52	Juvenile Criminal	3,003
65	Probation Violation	19,108
	Total Trial Division Cases Opened 2007	84,995



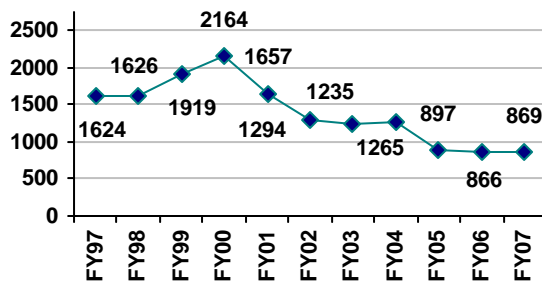
Felony Cases Opened	34,807 or 40.95% of the total caseload
Misdemeanor Cases Opened	27,718 or 32.61% of the total caseload
Probation Violation Cases Opened	19,108 or 22.48% of the total caseload
Juvenile Cases Opened	3,362 or 3.96% of the total caseload

TRIAL DIVISION NEW CASES OPENED
FIVE FISCAL YEAR COMPARISONS - FY2003 to FY2007
BY DISTRICT

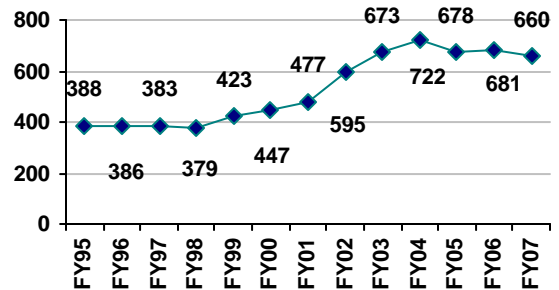
District #	District Name	FY03 Cases Opened	FY04 Cases Opened	FY05 Cases Opened	FY06 Cases Opened	FY07 Cases Opened	# Change 2003 to 2007	% Change 2003 to 2007
1	St. Louis Juvenile	1,235	1,265	897	866	869	-366	-28.28%
2	Kirksville	673	722	678	681	660	-13	-2.18%
4	Maryville	708	736	627	531	585	-123	-19.94%
5	St. Joseph	2,317	2,276	2,336	2,417	2,287	-30	-1.37%
6	Kansas City Juvenile	1,306	1,322	1,434	1,203	990	-316	-31.73%
7	Liberty	3,593	3,582	3,489	3,415	3,298	-295	-8.78%
10	Hannibal	1,483	1,588	1,670	1,546	1,615	132	10.14%
11	St. Charles	1,824	1,680	1,670	1,710	1,943	119	6.12%
12	Fulton	1,645	1,778	1,964	1,780	1,658	13	0.85%
13	Columbia	4,044	4,348	4,082	4,713	4,524	480	12.20%
14	Moberly	1,378	1,536	1,628	1,556	1,825	447	35.25%
15	Sedalia	1,780	2,018	1,934	2,002	1,861	81	5.20%
16	Kansas City	9,210	9,577	8,520	8,135	7,963	-1,247	-15.37%
17	Harrisonville	2,554	2,627	2,655	2,656	2,721	167	7.32%
19	Jefferson City	1,318	1,264	1,120	1,214	2,220	902	79.47%
20	Union	1,946	1,615	1,534	1,479	1,381	-565	-34.98%
21	St. Louis County	3,553	3,204	3,698	3,968	3,889	336	8.15%
22	St. Louis City	5,928	7,848	7,649	6,924	6,323	395	5.24%
23	Hillsboro	1,852	1,897	2,614	1,915	1,820	-32	-2.02%
24	Farmington	2,213	2,312	2,163	2,275	2,123	-90	-4.53%
25	Rolla	3,274	3,489	3,202	3,926	3,459	185	6.16%
26	Lebanon	2,727	2,501	2,630	2,844	1,800	-927	-38.16%
28	Nevada	1,268	1,338	1,407	1,213	1,247	-21	-1.63%
29	Carthage	4,225	4,306	4,372	4,166	4,063	-162	-3.65%
30	Buffalo	1,622	1,900	1,926	1,903	1,693	71	5.97%
31	Springfield	4,165	4,562	4,923	5,561	5,745	1,580	41.72%
32	Cape Girardeau	2,890	2,837	2,562	2,863	2,715	-175	-6.94%
34	Caruthersville	1,123	1,049	1,062	1,112	1,115	-8	-0.69%
35	Kennett	1,838	1,951	1,694	1,693	1,631	-207	-11.92%
36	Poplar Bluff	1,708	1,712	1,844	1,871	2,119	411	26.13%
37	West Plains	1,025	1,170	1,071	1,152	1,538	513	51.35%
39	Monett	2,438	2,074	2,058	2,215	2,397	-41	-1.68%
43	Chillicothe	2,444	2,685	2,519	2,590	2,652	208	8.83%
44	Ava	740	686	817	865	904	164	26.84%
45	Troy	999	1,240	1,372	1,366	1,362	363	38.95%
49	St. Louis Conflicts	645	Office Closed				-645	-89.83%
Total Trial Division		83,691	86,695	85,821	86,326	84,995	1,304	1.77%
New Cases								
		FY2003	FY2004	FY2005	FY2006	FY2007	FY03 to FY07	

New Cases Opened - By District FY1995 to FY2007

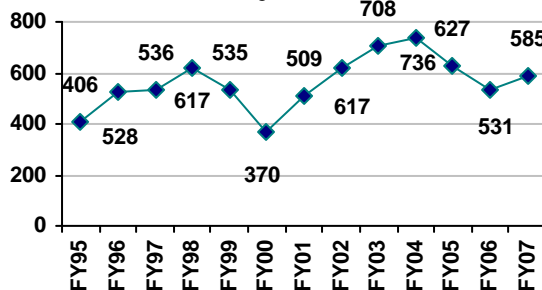
DISTRICT 1
- St. Louis Juvenile -



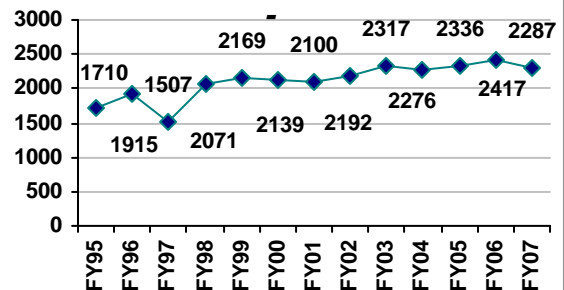
DISTRICT 2
- Kirksville -



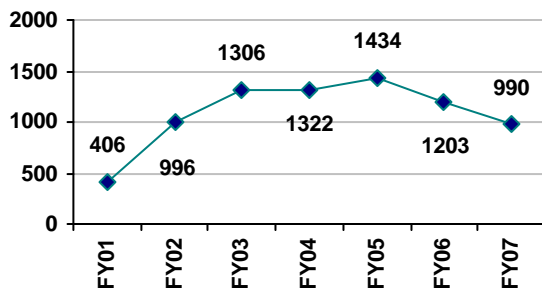
DISTRICT 4
- Maryville -



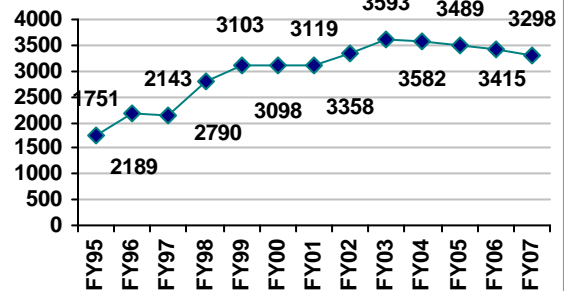
DISTRICT 5
- St. Joseph -



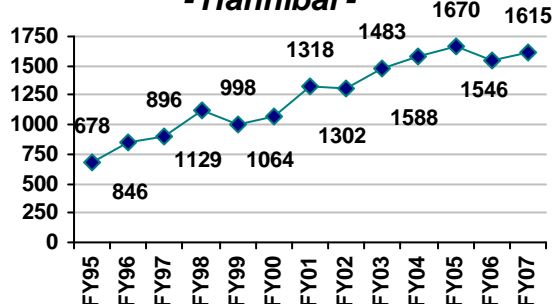
DISTRICT 6
- Kansas City Juvenile-



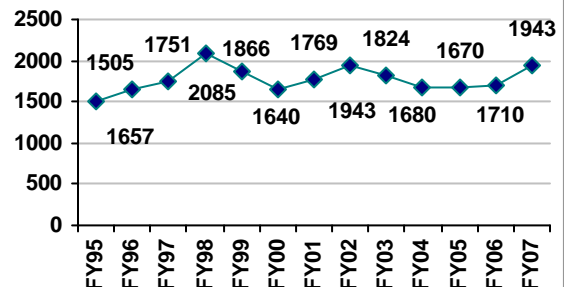
DISTRICT 7
- Liberty -



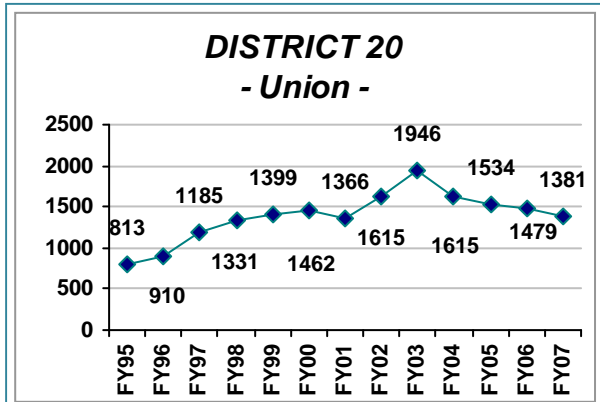
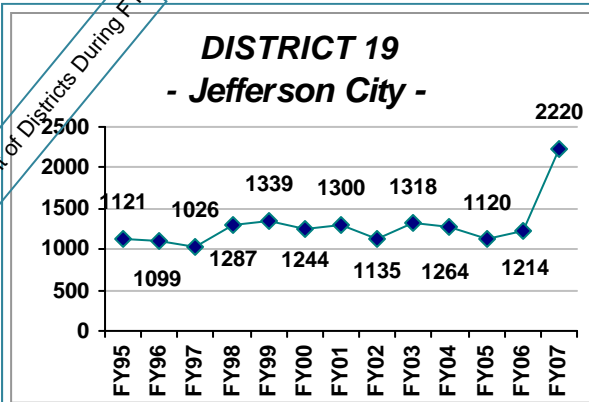
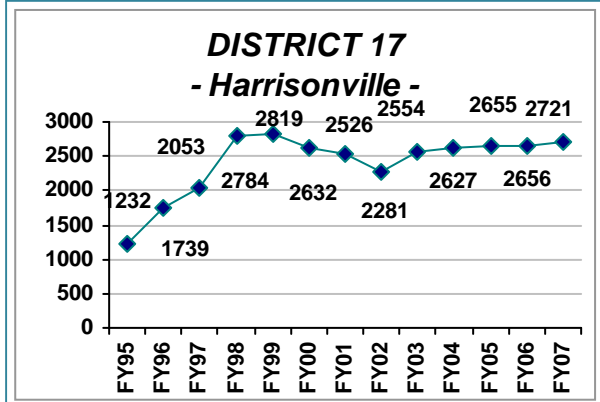
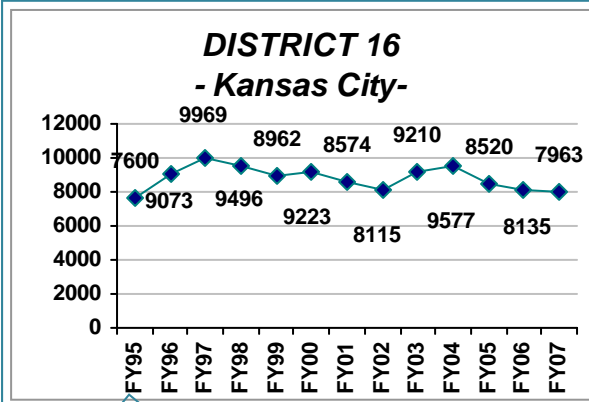
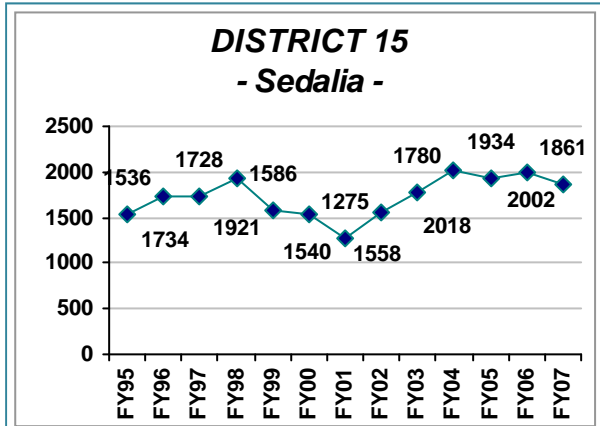
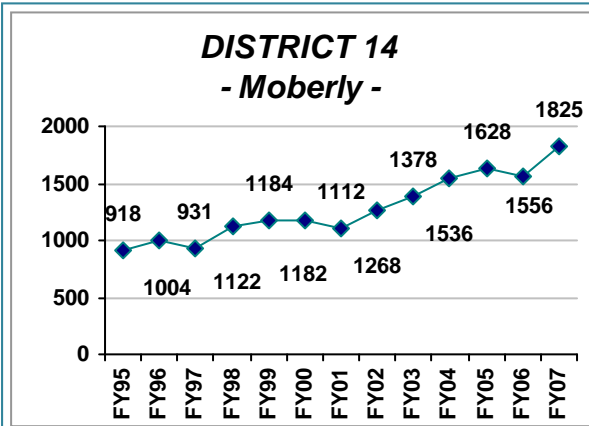
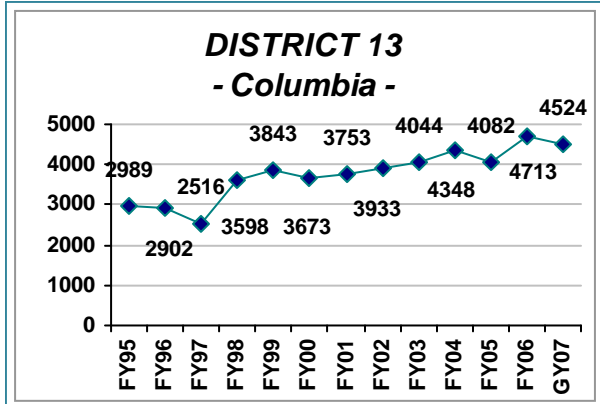
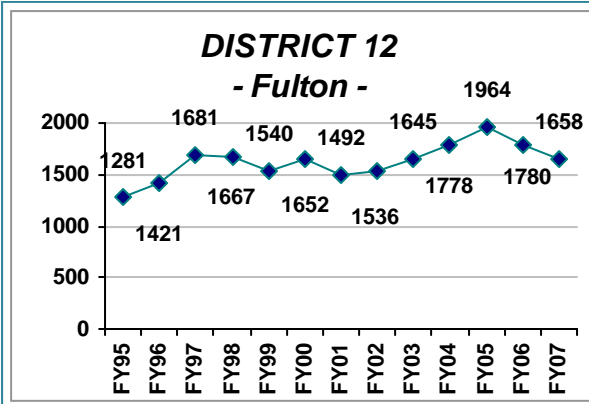
DISTRICT 10
- Hannibal -



DISTRICT 11
- St. Charles -



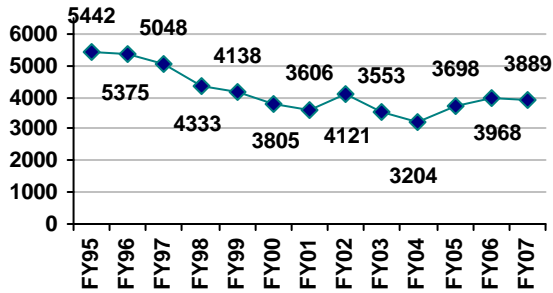
New Cases Opened – By District FY1995 to FY2007



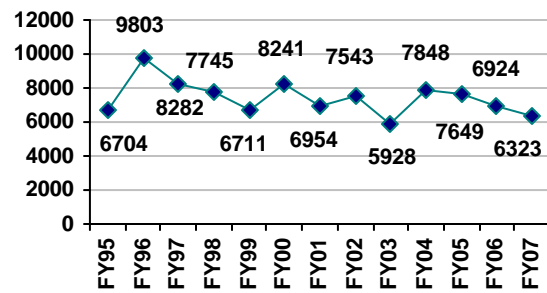
Realignment of Districts During FY

New Cases Opened - By District FY1995 to FY2007

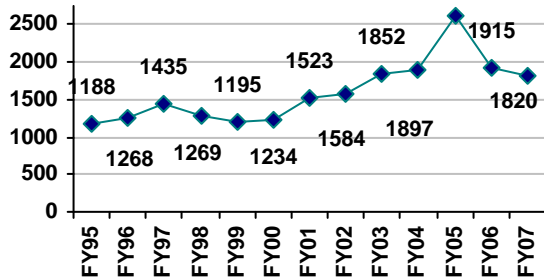
DISTRICT 21
- St. Louis County -



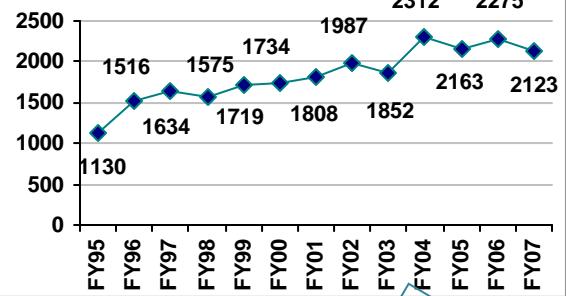
DISTRICT 22
- St. Louis City -



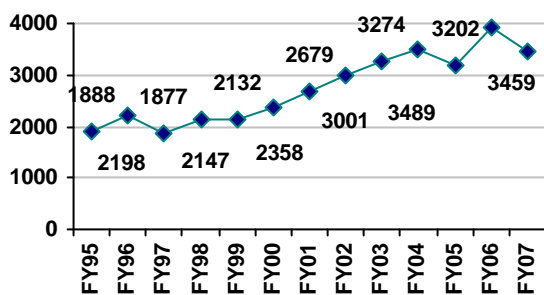
DISTRICT 23
- Hillsboro -



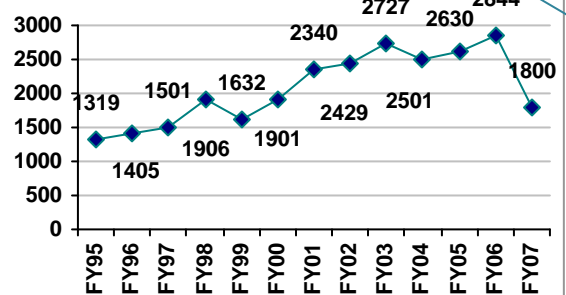
DISTRICT 24
- Farmington -



DISTRICT 25
- Rolla -

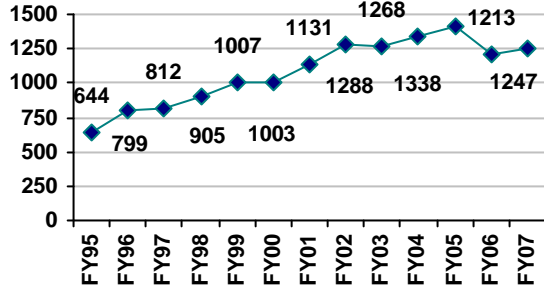


DISTRICT 26
- Lebanon -

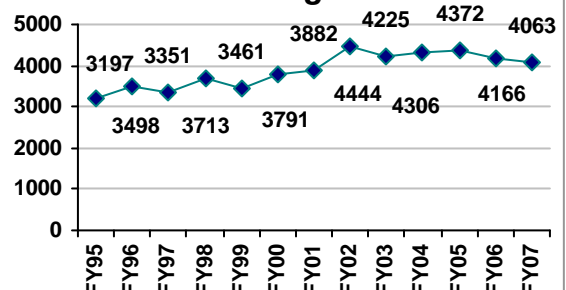


Realignment of Districts During FY

DISTRICT 28
- Nevada -

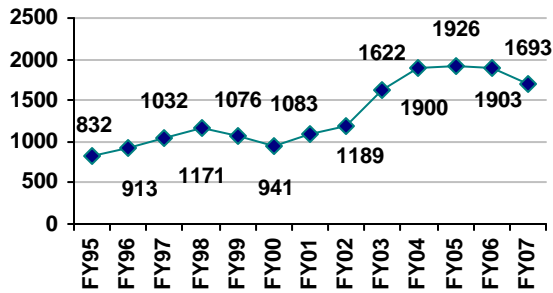


DISTRICT 29
- Carthage -

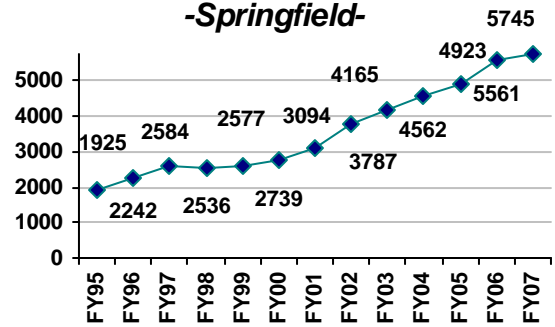


New Cases Opened – By District FY1995 to FY2007

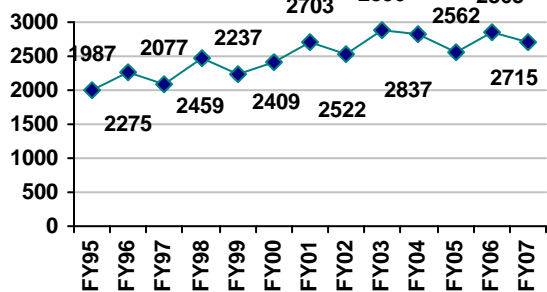
DISTRICT 30
- Bolivar -



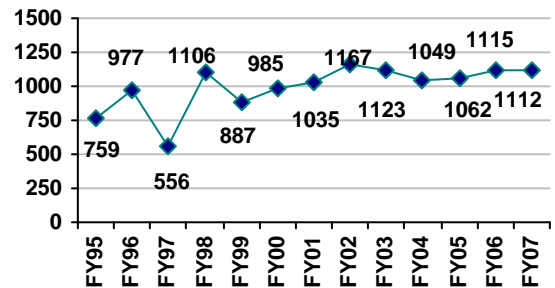
District 31
-Springfield-



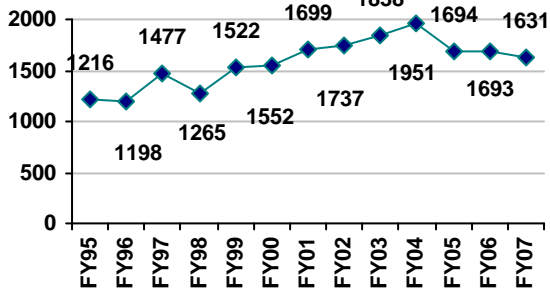
DISTRICT 32
- Jackson -



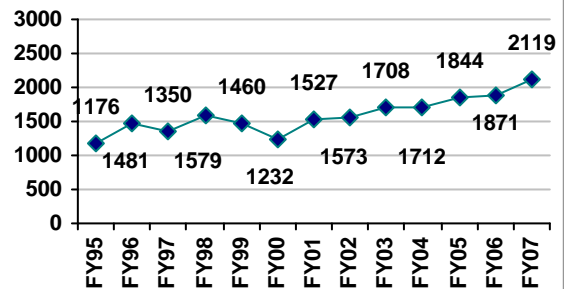
DISTRICT 34
- Caruthersville -



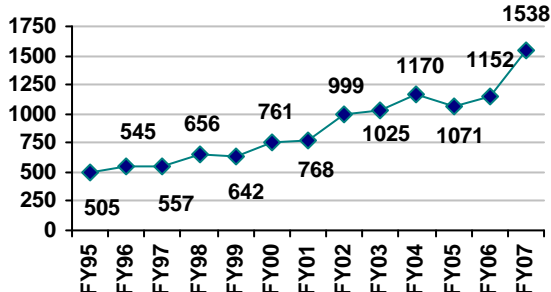
DISTRICT 35
- Kennett-



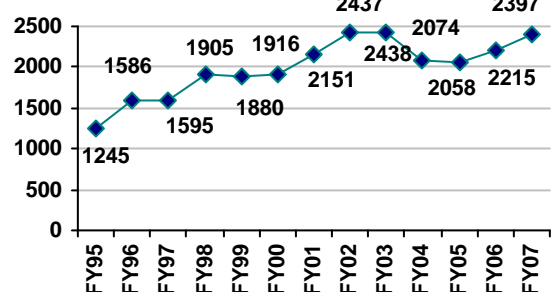
DISTRICT 36
- Poplar Bluff -



DISTRICT 37
- West Plains-

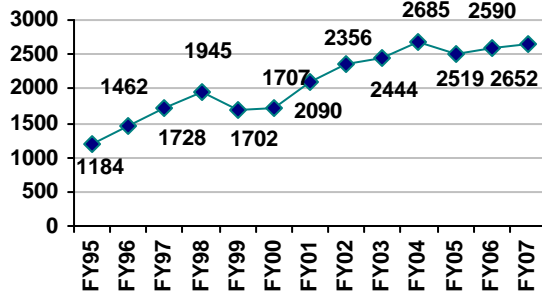


DISTRICT 39
- Monett -

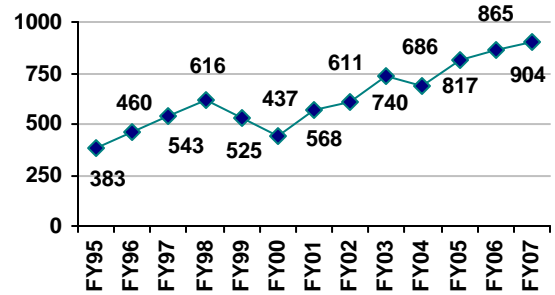


New Cases Opened - By District FY1995 to FY2007

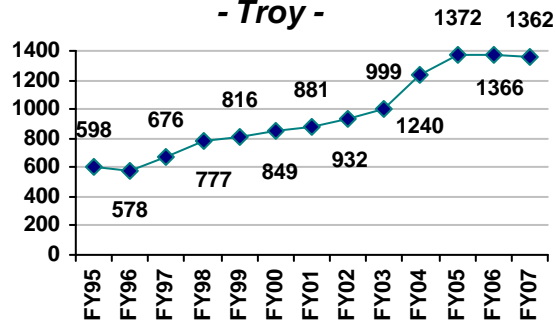
DISTRICT 43
- Chillicothe -



DISTRICT 44
- Ava -

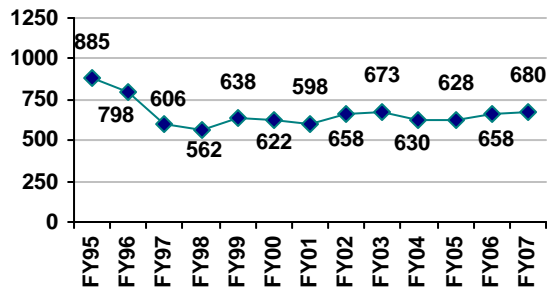


DISTRICT 45
- Troy -

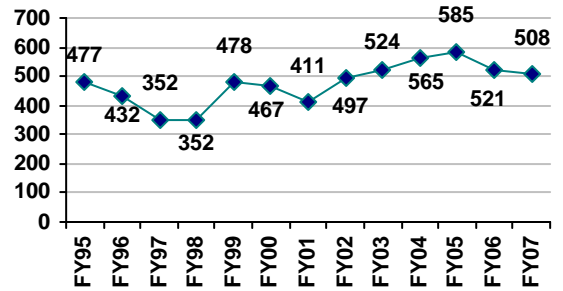


New Cases Opened - By District FY1995 to FY2007

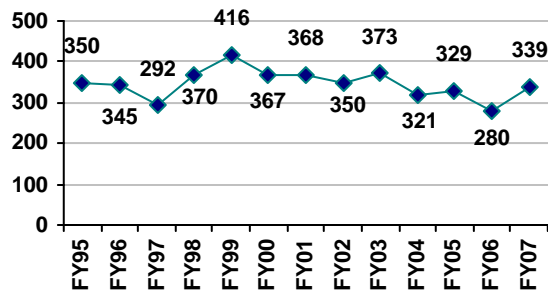
DISTRICT 50 & 67
- Columbia Appellate-



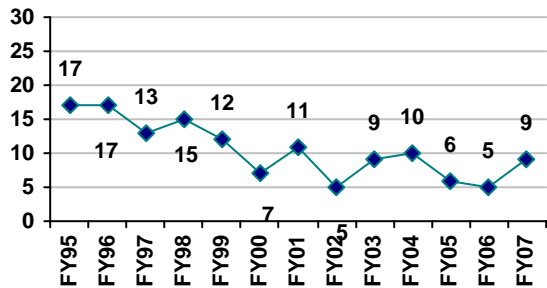
DISTRICT 51 & 68
- St. Louis Appellate -



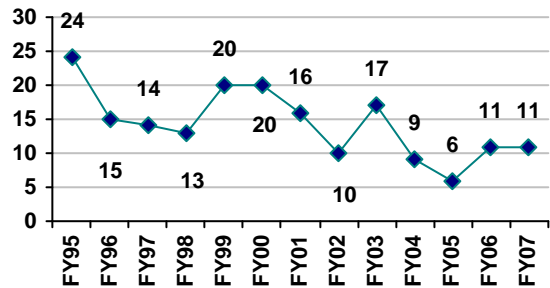
DISTRICT 52 & 69
- Kansas City Appellate-



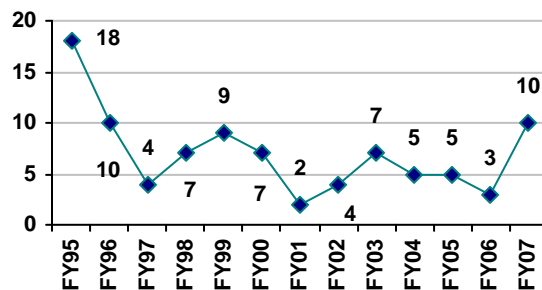
DISTRICT 53
- Columbia Capital -



DISTRICT 54
- St. Louis Capital -



DISTRICT 55
- Kansas City Capital -



FY2007 TRIAL DIVISION ASSIGNED CASES BY CHARGE CODE *

Charge Code	Description	Total	A-B Felonies	C-D Felonies	40 Misd.	45 Traffic	50 Juv	Other
001.100	Juvenile	353		2			351	
001.110	Juvenile Injurious Behavior	192					192	
001.115	Juvenile Review Hearing	45					45	
001.120	Juvenile PV Only	128					128	
001.125	Juvenile Status	73					73	
001.130	Juvenile Misdemeanor	74			4	1	69	
001.135	Juvenile Felony C-D (Cert.)	4					4	
001.140	Juvenile Felony A-B (Cert.)	7					7	
001.145	Juvenile Felony C-D	81		4			77	
001.150	Juvenile Felony A-B	17					17	
001.155	Juvenile Murder 1st/2nd (Cert.)	0						
001.160	Juvenile Homicide (Cert)	0						
001.165	Juvenile Homicide	0						
043.170	Failure to stop for Hwy Patrol	4			3	1		
064.295	Zoning Violations	0						
070.441	Violating Rules/Regulations of Rapid Transit	0						
115.631	Election Offense Class I	2		2				
142.830	Operating as Interstate Motor Fuel user	0						
143.221	Failure to Pay Withholding	2		2				
143.931	Failure to file MO tax return	1		1				
143.941	False statement of tax return	2		2				
144.083	Retail Sales w/o a license	0						
144.480	Failure to pay state sales tax	3		3				
167.031	Compulsory school attendance MC	62		1	61			
167.061	Educational neglect	3			2		1	
190.308	Misuse of 911 phone service	23			23			
191.677	Risk of infecting another w/HIV FD	6	5	1				
191.905	Abuse of a Person Receiving Health Care	0						
192.490	Violation of a law or regulation, Misdemeanor	10			10			
194.410	Disturbing human burial site	0						
194.425	Abandonment of a corpse	1		1				
195.130	Maintaining a public nuisance	24		24				
195.202	Drug Possession	7,462	54	5,788	1,499	3	116	2
195.203	Possession Under 35 Grams	271			264	1	5	1
195.204	Fraudulent attempt to obtain cont. sub.	100		99	1			
195.211	Distribution/delivery/manufacture FA/B/C	2,246	2,091	127	3		25	
195.212	Unlawful distribution to minor	15	14	1				
195.213	Unlawful purchase or transport with a minor	0						
195.214	Dist. drugs within 1000 ft of a school FA	131	121	1			9	
195.218	Dist. drugs within 1000 ft of public housing	40	38				2	
195.219	Unlawful Endangerment of Property	1		1				
195.222	Drug trafficking FD	108	107	1				
195.223	Drug trafficking SD	509	484	10	1	1	13	
195.226	Furnishing materials for producing cont. sub.	5		5				
195.233	Use of drug paraphernalia MA	939	1	34	884	10	10	
195.235	Delivery or manufacture of drug paraphernalia	11		11				
195.241	Possession of an imitation drug	4		1	2		1	
195.242	Delivery or manufacture of an imitation drug	51	11	39			1	
195.246	Possession of ephedrine	53		52	1			
195.252	Fail to Keep Records of Controlled Substance	0						
195.254	Delivery by manufacturer or distributor	1			1			

FY2007 TRIAL DIVISION ASSIGNED CASES BY CHARGE CODE *

Charge Code	Description	Total	A-B Felonies	C-D Felonies	40 Misd.	45 Traffic	50 Juv	Other
195.291	Persistent drug offender	0						
195.410	Possession of chemicals for meth.	2		2				
195.417	Over the Counter sale of Meth Precursor	18			18			
195.420	Creation of a controlled substance	176		176				
198.097	Misappropriation of Funds of Elderly	1		1				
205.967	Unlawfully obtaining Public Assistance	1		1				
210.104	Failure to Provide Child Safety Restraint	15		15				
211.031	Exclusive jurisdiction of juvenile court	15					15	
217.360	Possession of cont. substance-corr. facility	90	23	61	5			1
217.365	Possession of contraband in penal Institution	2		1	1			
217.385	Committing Violence	65		62	3			
217.490	Multi-State Agreement on Detainers	2		1				1
221.111	Delivering/possessing prohibited articles in jail	91	8	51	32			
221.353	Damage to jail property FD	65		65				
252.040	Pursuing/taking wildlife	37		37				
252.045	Operation of MV on conservation property	2		2				
252.060	Failure to Display a Fishing License	1		1				
260.212	Criminal disposition of solid waste	0						
260.270	Unlawful disposal of tires by burning	0						
269.020	Failure to dispose of dead animal carcass	0						
273.329	Operating Animal Shelter w/o a license	0						
287.128	Workers compensation fraud/MA	5		4				1
288.380	Illegal unemployment compensation	0						
301.020	Failure to register	302		2	12	288		
301.120	Failure to return plates	1				1		
301.130	Failure to display valid plates	203			5	198		
301.140	Displaying plates of another	96			3	93		
301.190	Certificate of ownership	12			1	11		
301.210	Sell/Purchase Mtr Veh or Trailer	9			1	8		
301.277	Failure to register non-resident vehicle	9			1	8		
301.320	Displaying another states plates	0						
301.390	Sale of vehicle with altered VIN	4		4				
301.400	Removing/defacing manufacturer numbers FC	3		3				
301.420	False Statement on Registration Application	0						
301.560	Inappropriate Vessel Trailer Plates	2				2		
301.705	Operating ATV on Private Property	1			1			
301.707	Failure to register an all-terrain vehicle	1				1		
302.020	Operating MV without a valid license	613		75	49	485	4	
302.025	Financial responsibility while operating vehicle	0						
302.178	Failure to comply with immediate license	14				14		
302.200	Operating MV w/out new license after revoked	24			2	22		
302.210	Purchase of vehicle without receiving full title	0						
302.220	Possession of altered driver's license	6				5	1	
302.230	Making false stmt to obtain driver's license M	0						
302.233	Committing Fraud to Obtain Driver's license MA	0						
302.260	Unlicensed person operating motor vehicle	2				2		
302.321	Driving while suspended or revoked	6,294	2	703	481	5,106	1	1
302.340	Prohibited Use of a License	0						
302.725	Driving w/o commercial driver's license	3				3		
302.727	Driving Commercial Vehicle while Disqualified	3				3		
302.780	Driving commercial vehicle under influence	0						

FY2007 TRIAL DIVISION ASSIGNED CASES BY CHARGE CODE *

Charge Code	Description	Total	A-B Felonies	C-D Felonies	40 Misd.	45 Traffic	50 Juv	Other
303.024	Failure to provide evidence of insurance	20			2	18		
303.025	Operating MV w/out financial responsibility	636			33	603		
303.041	Failure to maintain financial responsibility	24			4	20		
303.178	Knowingly Displaying Invalid Liability Insurance	1				1		
303.370	Driving while revoked or suspended for 303.025	233		1	26	206		
304.000	Traffic	27		4	2	21		
304.010	Speeding	358		2	8	348		
304.011	Maintain Speed < 40 mph on Interstate	2				2		
304.012	Careless and imprudent driving	313			33	278	1	1
304.013	Operating ATV's illegally	23			4	19		
304.015	Failure to drive on right side of the road	296			14	280		2
304.016	Violation of passing regulation	11			1	10		
304.017	Following too closely	19			3	16		
304.019	Failure to signal	66			2	64		
304.022	Failure to yield to emergency vehicle	60			4	56		
304.050	Failure to stop for a school bus	7				7		
304.151	Failure to move vehicle obstructing traffic	1				1		
304.220	Weight Limit Violation	1				1		
304.271	Failure to stop at stop sign	20			1	19		
304.281	Failure to stop at signal or crosswalk	17			1	16		
304.331	Injured Sign or Signal Device	1				1		
304.341	Turns at intersection violation penalty	4				4		
304.351	Failure to yield right-of-way	69			3	66		
304.665	Juvenile in bed of truck	1				1		
306.111	Neg. operation vessel/intoxicated/manslaughter	7			6	1		
306.124	Fastening or damaging navigation aid w/vessel	0						
307.040	Failure to display stop & turn signals on trailer	12			1	11		
307.045	Faulty headlights	4				4		
307.050	Operating a Motor Vehicle w/o headlights on	3				3		
307.060	Multiple Beam Headlamps Arrangement Violation	0						
307.070	Failure to dim lights w/in 500 ft oncoming vehicle	8				8		
307.075	Failure to equip trailer with tail lights	24			1	23		
307.105	Limitation of total lamps lighted at one time	8				8		
307.170	Operating vehicle with excessive noise	7		1		6		
307.173	Vision reducing material applied to windows	21			2	19		
307.178	Seat belt violation	103			2	101		
307.182	Driver Failed to Restrain Child in Booster	1				1		
307.350	Motor vehicles, biennial inspection required	4				4		
307.400	Operating commercial vehicle without service	20				20		
311.050	Sale of Intoxicating Liquor w/o a License	0						
311.310	Supplying liquor to a minor	79			79			
311.320	Misdemeanor Misrepresentation of Age by Minor	385			365	11	9	
311.325	Possession of liquor by a minor	0						
311.328	Altering operator's license or ID card	3			2	1		
311.329	Possessing altered operator's license or ID card	0						
311.550	Sale of liquor without a license	0						
311.880	Sale of alcohol to minor	4			2		2	
312.405	Misrepresentation of age by minor to obtain beer	0						
312.407	Possess of non-intoxicating liquor by minor	0						
313.380	Possession of Device Violate 313.800-313.850	0						
313.813	Trepassing on a Gambling Boat	1			1			

FY2007 TRIAL DIVISION ASSIGNED CASES BY CHARGE CODE *

Charge Code	Description	Total	A-B Felonies	C-D Felonies	40 Misd.	45 Traffic	50 Juv	Other
313.817	Presenting false ID to enter gaming est.	9			9			
313.830	Cheating a gambling game	7		5	2			
320.151	Sale of Fireworks to a minor	1			1			
324.520	Performing body peircing on a minor	2			2			
324.635	Knowingly Falsifying Fingerprints	1			1			
332.111	Practice Dentistry without a license	1			1			
335.086	Use of Fradulent Credentials	1			1			
367.045	Failure to repay pawnbroker MB	1			1			
375.991	Fraudulent Act	1		1				
378.385	Commit perjury while receiving public assistance	0						
390.063	Operating Motor Vehicle w/ Defective Equipment	1			1			
407.020	Unlawful merchandising practices	3	1	2				
407.536	Odometer fraud FD	0						
407.933	Possession of cigarettes by a minor	5			4		1	
409.410	Sale - unregistered securities	0						
409.501	Securites Fraud	0						
454.440	Failing to complete an information statement	5			5			
455.085	Violation of a protective order	697		35	661	1		
455.538	Violation of an order of child protection	14			14			
468.350	As owner operator/auth another to op	0						
476.110	Criminal contempt of court	1			1			
484.020	Practice Law without a license	1			1			
542.400	Illegal wire tapping	0						
544.665	Failure to appear	126	4	58	61	3		
548.131	Fugitive from justice	263	20	178	1	1	49	14
557.035	Hate crime C/D Fel	5		5				
557.036	Persistent offender	0						
558.016	Persistent misdemeanor offender	0						
562.036	Possessing controlled substance w/intent to dist.	3	3					
564.011	Attempt to commit an offense	161	37	70	3		49	2
564.016	Conspiracy FB	14		12	1		1	
565.020	Murder 1st FA	147	138				8	1
565.021	Murder 2nd FA	140	136				4	
565.023	Voluntary manslaughter FB	3	3					
565.024	Involuntary manslaughter FC	32	18	13			1	
565.050	Assault 1st FA/B	537	497	7			29	4
565.060	Assault 2nd	751	9	666	1		73	2
565.065	Unlawful endangerment of another FC	0						
565.070	Assault 3rd MA/C	1,487	2	5	1,241	1	235	3
565.072	Domestic Assault 1st FC	136	132	4				
565.073	Domestic Assault 2nd FC	1,236	16	1,208	9		2	1
565.074	Domestic Assault 3rd FC	1,963		48	1,867		46	2
565.075	Assault on school property - FD	73		6	1		66	
565.081	Assault law enforcement officer FA	65	61	1	2		1	
565.082	Assault law enforcement officer	228	71	137	12		8	
565.083	Assault law enforcement officer 3rd MA	262	1	2	249		10	
565.084	Tampering with a judicial officer	5		5				
565.085	Crime of endangering a corrections employee	27	1	26				
565.090	Harassment MA	158		1	156		1	
565.092	Aggravated harassment	1					1	
565.100	Tampering with evidence	3		2	1			

FY2007 TRIAL DIVISION ASSIGNED CASES BY CHARGE CODE *

Charge Code	Description	Total	A-B Felonies	C-D Felonies	40 Misd.	45 Traffic	50 Juv	Other
565.110	Kidnapping FA/B	52	49	2				1
565.115	Child Kidnapping - Class A Felony	6	6					
565.120	Felonious restraint FC	40		40				
565.130	False imprisonment MA/FD	9		1	8			
565.150	Interfering with Custody	24		12	12			
565.153	Parental Kidnapping	15	1	14				
565.156	Child abduction	8		8				
565.165	Assisting in child abduction or kidnapping	1		1				
565.180	Elder abuse FD	9	8	1				
565.182	Elder abuse SD	4	4					
565.184	Elder abuse TD	9			9			
565.188	False report of elder abuse	0						
565.200	Illegal sex w/ Res Skill Nursing Facility A Misd.	0						
565.225	Aggravated stalking	53		20	31			2
565.252	Invasion of Privacy - 1st FC	0						
565.253	Invasion of privacy	1			1			
566.030	Rape FA/B	171	160	5			5	1
566.032	Statutory rape FD	164	140	5			19	
566.034	Statutory rape SD	134	12	121			1	
566.040	Sexual assault 1st FA/B	31	1	25			5	
566.050	Sexual assault 2nd FC/D	0						
566.060	Sodomy FA/B	82	68	4			9	1
566.062	Statutory sodomy 1st Dgr	291	238	5			48	
566.064	Statutory sodomy 2nd Dgr	54	6	48				
566.067	Child molestation 1st Dgr	181	135	10	1		31	4
566.068	Child molestation 2nd Dgr	46		1	44		1	
566.070	Deviate sexual assault 1st FB/C	25		14	1		10	
566.080	Deviate sexual assault 2nd FC/D	0						
566.083	Sexual misconduct involving a child	14		13			1	
566.090	Sexual misconduct MA	61		5	33		23	
566.093	Sexual misconduct 2nd Dgr	46		1	41		4	
566.095	Sexual misconduct 3rd Dgr	15			12		3	
566.100	Sexual abuse 1st FC/D	27	2	22			3	
566.110	Sexual abuse 2nd MA/FD	0						
566.120	Sexual abuse 3rd MA	0						
566.130	Indecent exposure MA	0						
566.145	Sexual Contact w/ inmate	0						
566.147	Establish residence w/in 1000 ft of child care	47	1	41	5			
566.151	Attempted Enticement of a Child	21	13	8				
566.212	Sexual Trafficking of a Child	1	1					
566.625	Failure to register as a sex offender	6		1	5			
567.020	Prostitution MB	23			23			
567.030	Patronizing prostitution MB	3			3			
567.050	Promoting prostitution 1st FB	0						
567.060	Promoting prostitution 2nd FC	0						
567.070	Promoting prostitution 3rd FD	4		4				
568.010	Bigamy MA	1		1				
568.020	Incest FD	10		7			3	
568.030	Abandonment of a child 1st FB	0						
568.032	Abandonment of a child 2nd FD	0						
568.040	Criminal nonsupport MA/FD	2,806	2	1,901	902			1

FY2007 TRIAL DIVISION ASSIGNED CASES BY CHARGE CODE *

Charge Code	Description	Total	A-B Felonies	C-D Felonies	40 Misd.	45 Traffic	50 Juv	Other
568.045	Endangering welfare of a child 1st Dgr	353	5	344	3		1	
568.050	Endangering welfare of a child MA	304		18	285			1
568.060	Abuse of a child FB/C	163	4	157	2			
568.070	Unlawful transactions with a child MB	1			1			
568.080	Using a child in a sexual performance FB/C	2		2				
568.090	Promoting sexual performance by a child FC	0						
568.110	Processor failure to report MB	0						
568.175	Trafficking in children FC	1	1					
569.020	Robbery 1st FA	771	676	9			84	2
569.025	Pharmacy robbery 1st FA	0						
569.030	Robbery 2nd FB	430	342	20	1		67	
569.035	Pharmacy robbery 2nd FB	0						
569.040	Arson 1st FB	39	33	2			3	1
569.050	Arson 2nd FC	58		51			6	1
569.055	Knowingly burning or exploding FD	34		25			9	
569.060	Reckless burning or exploding MA	0						
569.065	Negligent burning or exploding MB	7			6		1	
569.070	Catastrophe FA	0						
569.080	Tampering 1st FC	1,932		1,646	3	281		2
569.085	Unlawful endangerment of property FC	344		13	189	1	141	
569.090	Tampering 2nd MA/FD	0						
569.095	Tampering with intellectual property MA/FD	2			2			
569.097	Tampering with computer equipment FC/D	3		1	1		1	
569.099	Tampering with computer users MA/FD	1			1			
569.100	Property damage 1st FD	292	1	259	2		30	
569.120	Property damage 2nd MB	414	1	2	352		59	
569.140	Trespass 1st MB	611		4	584	1	21	1
569.150	Trespass SD	34			29	3		2
569.155	Trespass of a school bus	0						
569.160	Burglary 1st FB	852	753	40	1		53	5
569.170	Burglary 2nd FC	2,679	17	2,418	1		241	2
569.180	Possession of burglar's tools FD	38	1	37				
570.030	Stealing FC/MA	4,626	71	2,865	1,459	2	227	2
570.033	Stealing animals	23		23				
570.040	Stealing 3rd Offense FC	39		38	1			
570.080	Receiving stolen property MA/FC	790		531	232	2	24	1
570.085	Alteration or removal of item numbers FD/MB	1			1			
570.090	Forgery FC	1,907	6	1,889	5		6	1
570.100	Possession of a forgery instrumentality FC	14		14				
570.103	Counterfeiting 1000 or more	5		2	3			
570.110	Issuing a false instrument or certificate MA	0						
570.120	Passing bad check MA/FD	4,403	4	1,727	2,666	6		
570.125	Fraudulent stop payment on an instrument MA/FD	24		6	18			
570.130	Fraudulent use of a credit device MA/FD	268		159	107	2		
570.135	Fraudulent procurement of a credit/debit device	4		1	3			
570.140	Deceptive business practices	3		1	2			
570.145	Financial exploitation of elderly or disabled	28	17	9	1			1
570.150	Commercial bribery MA	0						
570.155	Sports bribery FEL/MIS	0						
570.160	False advertising MA	0						
570.170	Bait advertising MA	0						

FY2007 TRIAL DIVISION ASSIGNED CASES BY CHARGE CODE *

Charge Code	Description	Total	A-B Felonies	C-D Felonies	40 Misd.	45 Traffic	50 Juv	Other
570.180	Defrauding secured creditors MA/FD	7		5	2			
570.190	Telephone service fraud MA	0						
570.210	Library theft FC/MC	6			6			
570.217	Misapplication of funds of financial institution FC/D	0						
570.219	False entries in records of a financial institution FC	0						
570.220	Check kiting FC	2		2				
570.223	Identity Theft	65	10	26	28		1	
570.224	Trafficking in Stolen Identities Felony B	8	8					
570.230	Selling unauthorized recordings	1		1				
570.300	Theft of cable television service FA/MC	14		2	12			
571.015	Armed criminal action	73	69	1			3	
571.020	Possess/transport/sale of certain weapons FC/MA	54		34	19		1	
571.030	Unlawful use of weapons FD/MB	931	54	755	17		103	2
571.045	Defacing firearm MA	0						
571.050	Possession of a defaced firearm MB	8			8			
571.060	Unlawful transfer of weapons FD/MA	0						
571.070	Possession of a concealable firearm FC	18		18				
571.080	Transfer of concealable firearms w/out permit MA	4			1		3	
571.090	Permit to acquire concealable weapons MA	2			2			
571.150	Use or possession of metal-penetrating bullet FB	0						
572.020	Gambling MB	1			1			
572.030	Promoting Gambling FD	0						
572.050	Possession of gambling records 1st FD	0						
572.060	Possession of gambling records 2nd MA	0						
572.070	Possession of a gambling device MA	0						
572.080	Lottery offenses	0						
573.020	Promoting obscenity 1st FD	0						
573.023	Sexual Exploitation of a Minor	8	8					
573.025	Promoting Child Pornography 1st FB	5	4					1
573.030	Promoting Pornography 2nd MA	0						
573.035	Promoting child pornography 2nd FD	0						
573.037	Possession of child pornography	14		13				1
573.040	Furnishing pornographic material to a minor MA	3			3			
573.060	Public display of explicit sexual material MA	0						
573.065	Coercing acceptance of obscene materials	0						
574.010	Peace disturbance	137			122	2	13	
574.020	Private peace disturbance MC	12			9		3	
574.040	Unlawful assembly MB	0						
574.050	Rioting MA	0						
574.060	Refusal to disperse MC	0						
574.070	Promoting civil disorder 1st FC	0						
574.075	Drunkenness or drinking in prohibited places M	9		9				
574.085	Burial discretion - Institutional Vandalism	4		4				
574.090	Ethnic intimidation FD	0						
574.093	Ethnic intimidation SD	0						
574.105	Money Laundering	0						
574.115	Making a terrorist threat	38		25			13	
575.020	Concealing an offense MA	1		1				
575.030	Hindering prosecution	72		50	22			
575.040	Perjury FA/B/C/D	1		1				
575.050	False affidavit MA/C	5			5			

FY2007 TRIAL DIVISION ASSIGNED CASES BY CHARGE CODE *

Charge Code	Description	Total	A-B Felonies	C-D Felonies	40 Misd.	45 Traffic	50 Juv	Other
575.060	False declarations MB	12			11	1		
575.080	False reports MB	72			71	1		
575.090	False bomb report D-fel	9		7			2	
575.100	Tampering with physical evidence	18		8	10			
575.110	Tampering with public records	0						
575.120	False impersonation	9			9			
575.130	Simulating legal process	0						
575.145	Failed to Obey Sheriff's Deputy	9			8	1		
575.150	Resisting. Interference. w/Arrest. FD/MA	855	5	391	430	7	19	3
575.160	Interference. w/Legal Process MB	2			2			
575.190	Refusal to Identify as a Witness	3			3			
575.195	Escape from commitment FD	3		2				1
575.200	Escape/attempt escape from custody MA FA/D	40	3	27	10			
275.205	Tampering w/ electronic monitoring equip.	6		3			3	
575.210	Escape/attempt escape from confinement FA/C/D	25	3	21			1	
575.220	Failure to return to confinement MA/FC	22		9	13			
575.230	Aiding escape of a prisoner FB/D MA	4	4					
575.240	Permitting escape	0						
575.250	Disturbing judicial proceeding	0						
575.260	Tampering with judicial process	1		1				
575.270	Tampering with a witness FC/MA	58		47	11			
575.280	Official acceding to corruption	0						
575.290	Improper communication	0						
575.300	Juror misconduct	5			5			
575.350	Killing or Disabling a Police Animal	0						
576.010	Bribery of a public servant FD	0						
576.020	Public servant acceding to corruption FD	0						
576.030	Obstructing government operations MB	0						
576.040	Official misconduct MA	0						
576.050	Misuse of official information MA	0						
576.070	Treason FA	0						
577.005	Vehicular manslaughter	1		1				
577.010	Driving while intoxicated MA/B FD	3,558	235	921	2,288	111	1	2
577.012	Driving w/excessive blood alcohol content MA/C	9		1	6	2		
577.017	Consuming alcoholic beverages in moving MV	8			6	1		1
577.023	Driving while intoxicated Second MA, Third FD	18		13	4	1		
577.051	Failure to furnish M.U.L.E. records MC	0						
577.060	Leaving scene of motor vehicle accident MA/FD	413	1	255	131	24	2	
577.070	Littering MA	37			34	3		
577.073	Littering in state parks	0						
577.075	Release of Anhydrous Ammonia	0						
577.076	Littering with carcasses	0						
577.080	Abandoning motor vehicle MA	3			3			
577.100	Abandonment of airtight containers	0						
577.110	Operating MV while under 16 years of age	0						
577.150	Corrupting or diverting water supply	0						
577.155	Prohibition of waste disposal wells	0						
577.161	Can't prohibit disabled life jackets in pool	0						
577.600	Failure to use ordered ignition interlock device	0						
577.612	Tampering w/ igitintion interlock device	1			1			
577.628	Possession of Prescription Meds on School Prop.	3			2	1		

FY2007 TRIAL DIVISION ASSIGNED CASES BY CHARGE CODE *

Charge Code	Description	Total	A-B Felonies	C-D Felonies	40 Misd.	45 Traffic	50 Juv	Other
578.009	Animal neglect MA	23			23			
578.012	Animal abuse	73		3	68		2	
578.025	Dog fighting MA/FD	1			1			
578.027	Dog baiting MA	0						
578.050	Bull baiting and cockfighting MA	4			4			
578.150	Failure to return rented personal property MA/FD	156		95	61			
578.151	Interfere w/ Lawful Hunt	0						
578.154	Possession of Anhydrous Ammonia	10		10				
578.250	Inhaling/ inducing others to inhale fumes MB	10			10			
578.255	Induce or possess w/intent to induce intoxication	3			3			
578.260	Possess/purchase solvents to aid others MB	0						
578.265	Sell or Transfer Solvents FC	0						
578.305	Assault w/ intent to hijack bus	0						
578.365	Hazing	0						
578.377	Unlawful receipt of food stamps MA/FD	6		5	1			
578.379	Unlawful conversion of food stamps MA/FD	0						
578.381	Unlawful transfer of food stamps MA/FD	0						
578.395	Ticket scalping	0						
578.416	Crop Loss	1			1			
578.423	Knowingly participating in street gang activity MA	0						
578.425	Promoting or assisting gang conduct MA	0						
578.433	Maintaining public nuisance	0						
578.445	Possession tools to break into vending mach	0						
589.400	Registration of certain offenders with chief law	14		6	8			
589.414	Failure to register as a sex offender	8		5	3			
589.425	Failure to register penalty, subsequent	135	1	72	60	2		
602.300	Unlawfully possessing a tobacco product	0						
632.480	Sexually violent predator	0						
701.055	Noncompliant Sewage Disposal System	0						
701.046	Sewage Disposal construction or modification	0						
888.888	Application Only	2						2
999.999	Witness Only	7	1					6
		65890	7,294	27,489	18,936	9,007	3,074	90

*Does Not Include Probation Violation Cases

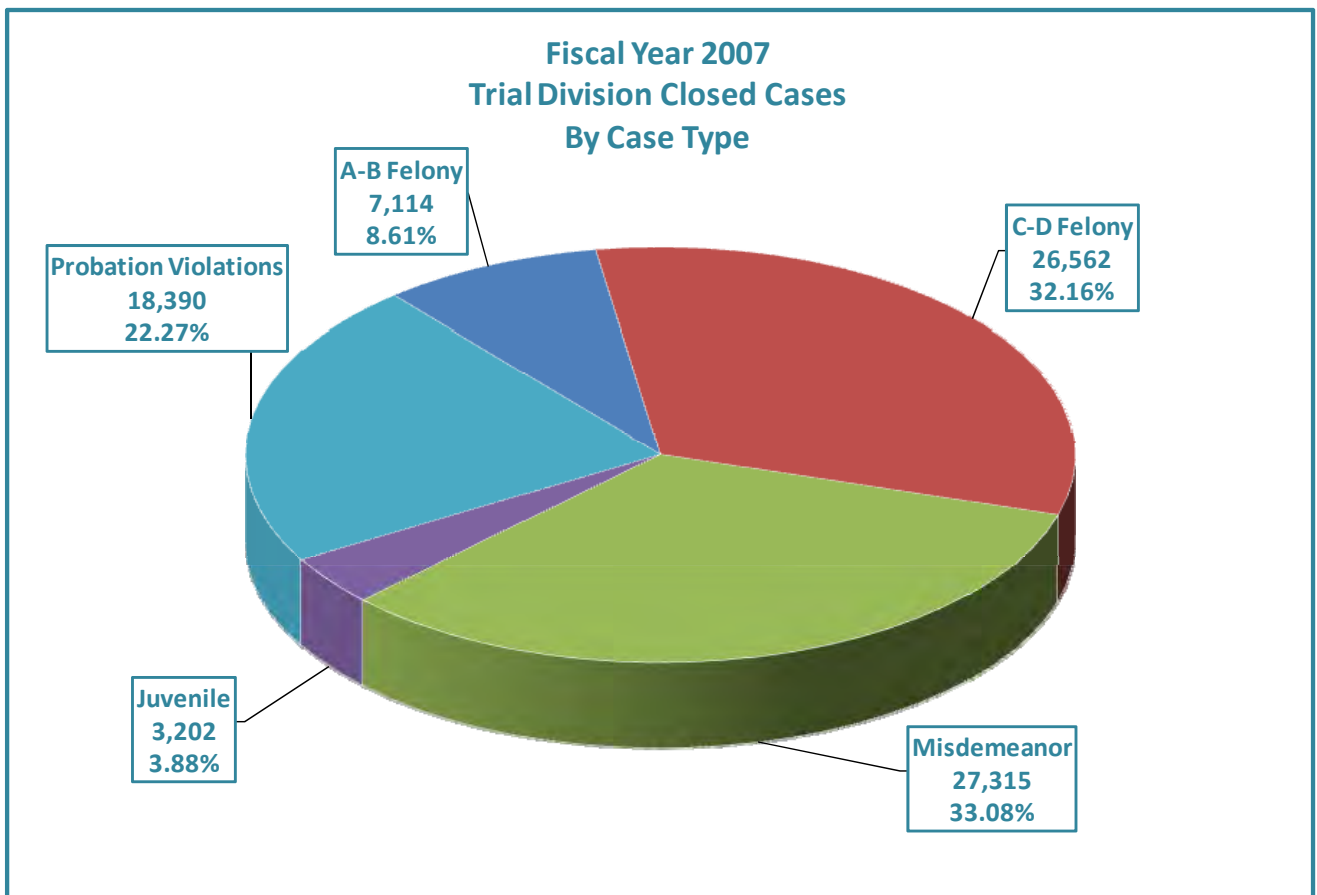
Caseload and Cost Highlights

A. Caseload

2. Trial Division Cases Closed

The State Public Defender System's Trial Division closed 82,677 cases in Fiscal Year 2007.

Fiscal Year 2007 Trial Division Closed Cases by Case Type		
Type Code	Description	Cases Opened
10	Murder - Death Penalty	1
15	Homicide - Non Capital	122
20	Other Homicides	147
30	A-B Felonies	6,844
35	C-D Felonies	26,562
40	Misdemeanor	18,518
45	Misdemeanor - Traffic	8,797
50	Juvenile Status	2,167
52	Juvenile Criminal	1,035
65	Probation Violation	18,390
	Other	94
	Total Trial Division Cases Opened 2007	82,677



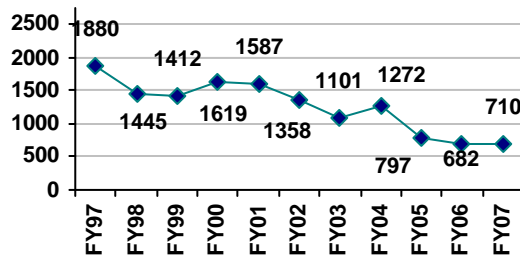
Felony Cases Closed	33,676 or 40.73% of the total caseload
Misdemeanor Cases Closed	27,315 or 33.08% of the total caseload
Probation Violation Cases	18,390 or 22.27% of the total caseload
Juvenile Cases Closed	3,202 or 3.88% of the total caseload

TRIAL DIVISION CASE DISPOSITIONS
FIVE FISCAL YEAR COMPARISONS - FY2003 to FY2007
BY DISTRICT

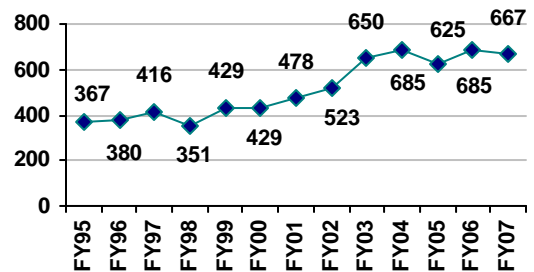
District #	District Name	FY03 Cases Disposed	FY04 Cases Disposed	FY05 Cases Disposed	FY06 Cases Disposed	FY07 Cases Disposed	# Change 2003 to 2007	% Change 2003 to 2007
1	St. Louis Juvenile	1,101	1,272	797	682	710	-391	-28.79%
2	Kirksville	650	685	625	685	667	17	2.48%
4	Maryville	654	745	607	526	585	-69	-13.12%
5	St. Joseph	2,314	2,271	2,351	2,271	2,216	-98	-4.32%
6	Kansas City Juvenile	1,197	1,154	1,400	1,208	952	-245	-20.28%
7	Liberty	3,464	3,574	3,330	3,343	3,224	-240	-7.18%
10	Hannibal	1,460	1,568	1,691	1,483	1,608	148	9.98%
11	St. Charles	1,923	1,686	1,747	1,591	1,855	-68	-4.27%
12	Fulton	1,519	1,895	1,994	1,666	1,644	125	7.50%
13	Columbia	4,042	4,136	4,123	4,381	4,439	397	9.06%
14	Moberly	1,349	1,442	1,691	1,537	1,740	391	25.44%
15	Sedalia	1,722	1,990	1,871	1,977	1,813	91	4.60%
16	Kansas City	8,581	8,836	8,065	7,361	7,657	-924	-12.55%
17	Harrisonville	2,347	2,679	2,561	2,538	2,494	147	5.79%
19	Jefferson City	1,056	1,265	1,177	1,129	1,459	403	35.70%
20	Union	2,088	1,676	1,530	1,432	1,349	-739	-51.61%
21	St. Louis County	1,550	2,459	3,746	3,684	3,859	2,309	62.68%
22	St. Louis City	5,519	7,802	7,794	6,203	6,020	501	8.08%
23	Hillsboro	1,778	1,896	2,297	1,828	1,880	102	5.58%
24	Farmington	2,111	2,268	2,305	2,202	2,123	12	0.54%
25	Rolla	3,234	3,587	3,314	3,564	3,480	246	6.90%
26	Lebanon	2,797	2,423	2,775	2,733	2,344	-453	-16.58%
28	Nevada	1,258	1,349	1,351	1,236	1,216	-42	-3.40%
29	Carthage	4,181	4,120	4,095	4,137	4,093	-88	-2.13%
30	Bolivar	1,626	1,855	1,895	1,772	1,734	108	6.09%
31	Springfield	3,931	4,291	4,773	4,994	5,438	1,507	30.18%
32	Cape Girardeau	2,679	2,790	2,566	2,581	2,694	15	0.58%
34	Caruthersville	1,133	1,104	1,063	1,058	1,080	-53	-5.01%
35	Kennett	1,837	1,914	1,695	1,637	1,638	-199	-12.16%
36	Poplar Bluff	1,804	1,600	1,891	1,857	2,042	238	12.82%
37	West Plains	1,040	1,135	1,137	1,008	1,446	406	40.28%
39	Monett	2,132	2,044	1,875	2,051	2,374	242	11.80%
43	Chillicothe	2,364	2,586	2,512	2,533	2,666	302	11.92%
44	Ava	661	756	810	856	850	189	22.08%
45	Troy	982	1,161	1,347	1,317	1,288	306	23.23%
49	St. Louis Conflicts	917	105	Office Closed			-917	
Total Trial Division Dispositions		79,001	84,119	84,801	81,061	82,677	3,676	4.53%
							FY03 to FY07	

Disposed Caseload -By District FY1995 to FY2007

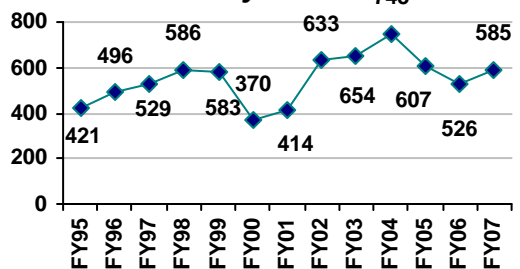
DISTRICT 1
- St. Louis Juvenile -



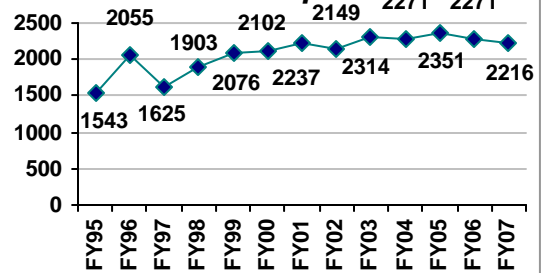
DISTRICT 2
- Kirksville -



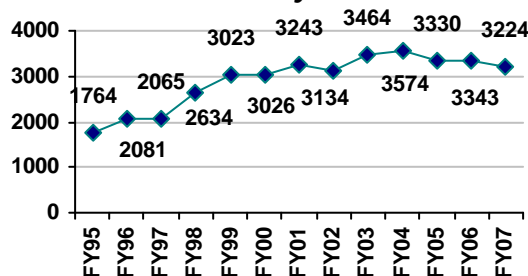
DISTRICT 4
- Maryville -



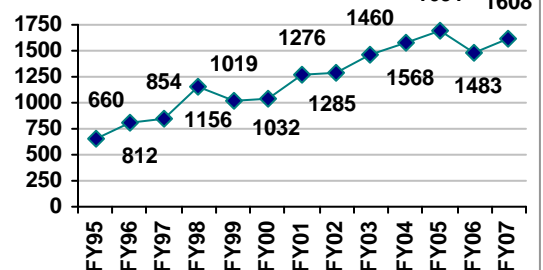
DISTRICT 5
- St. Joseph -



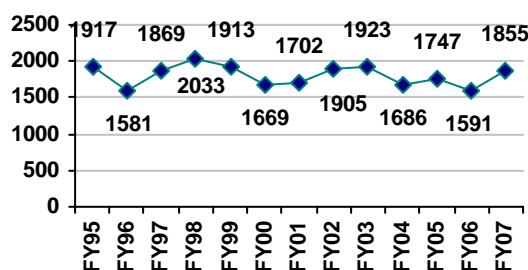
DISTRICT 7
- Liberty -



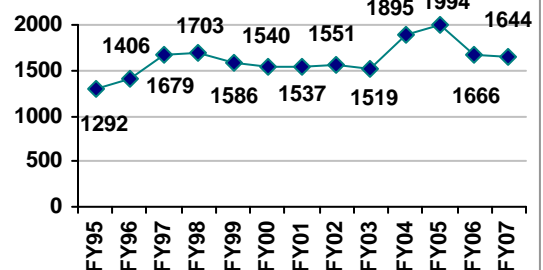
DISTRICT 10
- Hannibal -



DISTRICT 11
- St. Charles -

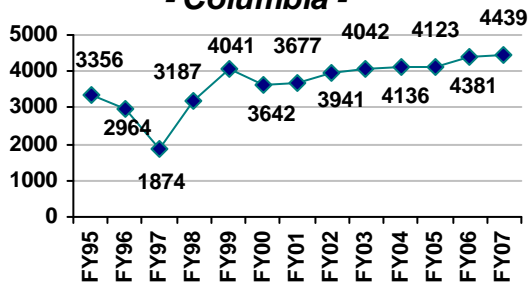


DISTRICT 12
- Fulton -

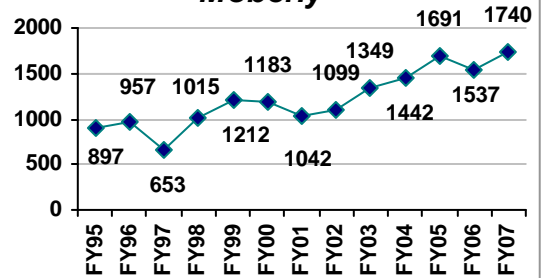


Disposed Caseload -By District FY1995 to FY2007

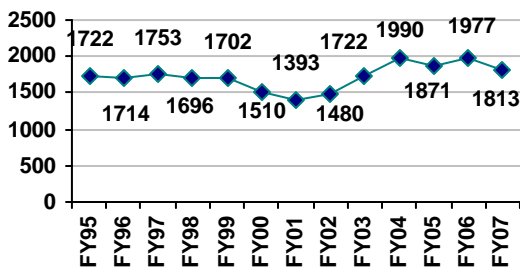
DISTRICT 13
- Columbia -



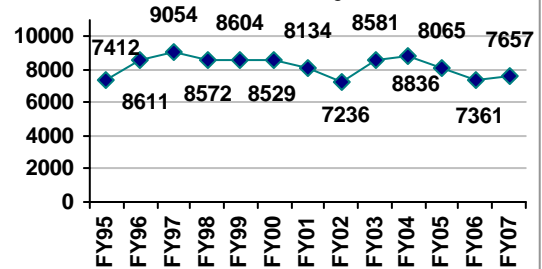
DISTRICT 14
- Moberly -



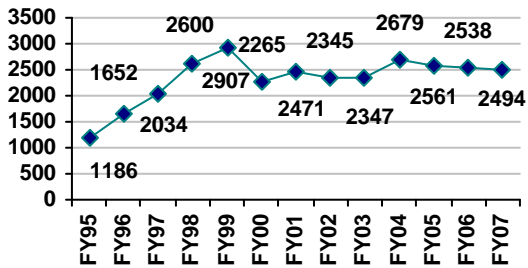
DISTRICT 15
- Sedalia -



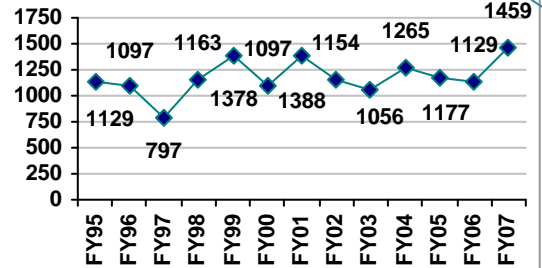
DISTRICT 16
- Kansas City -



DISTRICT 17
- Harrisonville -

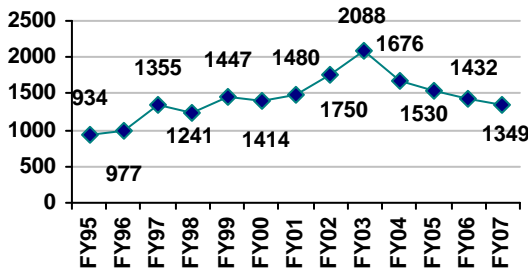


DISTRICT 19
- Jefferson City -

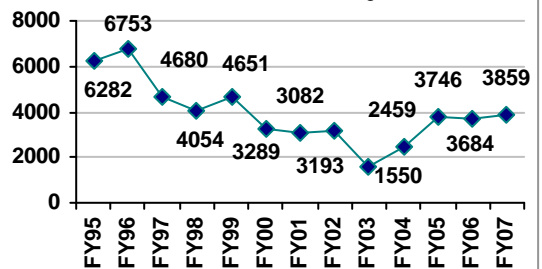


Realignment of Districts During FY

DISTRICT 20
- Union -

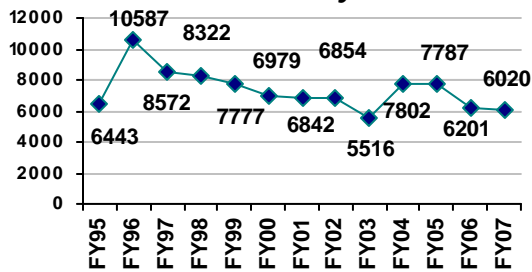


DISTRICT 21
- St. Louis County -

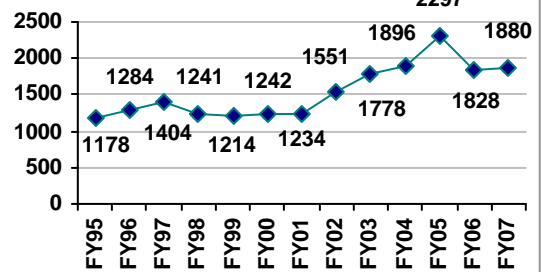


Disposed Caseload -By District FY1995 to FY2007

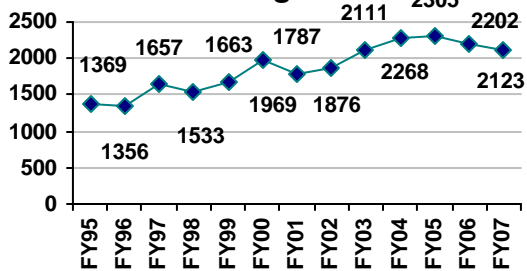
DISTRICT 22
- St. Louis City -



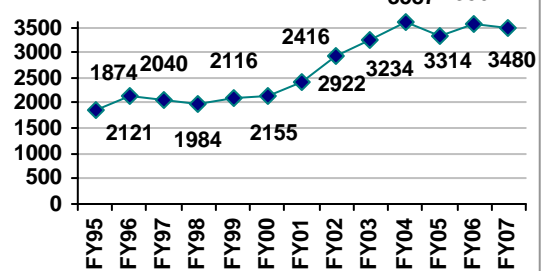
DISTRICT 23
- Hillsboro -



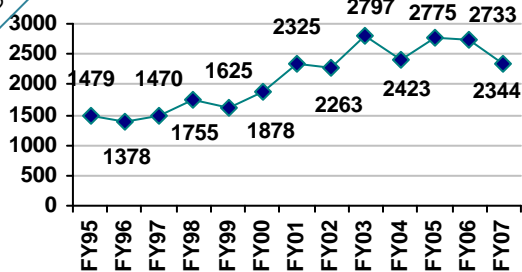
DISTRICT 24
- Farmington -



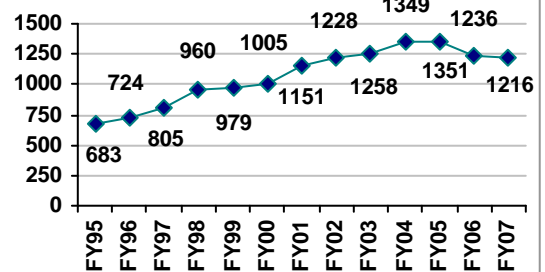
DISTRICT 25
- Rolla -



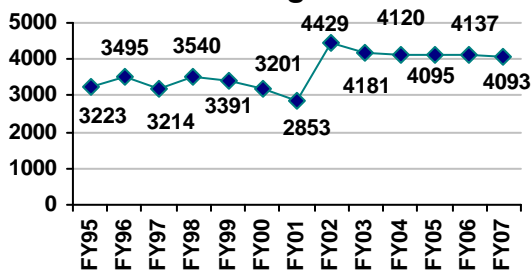
DISTRICT 26
- Lebanon -



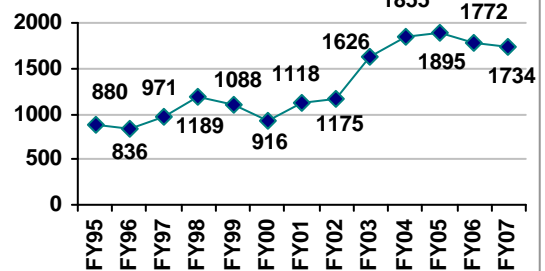
DISTRICT 28
- Nevada -



DISTRICT 29
- Carthage -



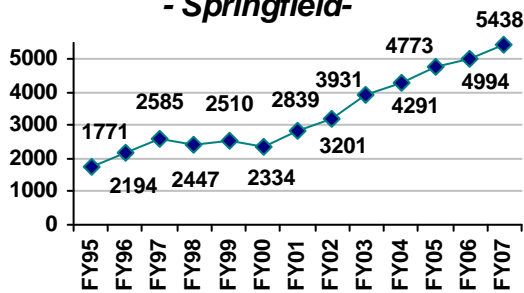
DISTRICT 30
- Bolivar -



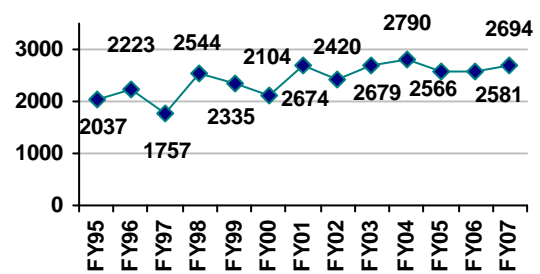
Realignment of Districts During FY

Disposed Caseload -By District FY1995 to FY2007

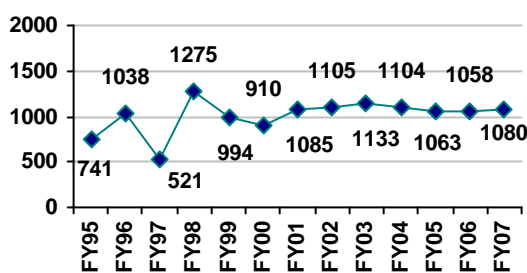
DISTRICT 31
- Springfield -



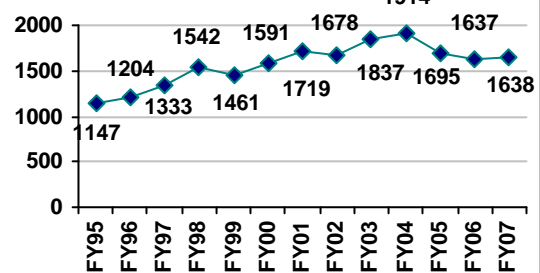
DISTRICT 32
- Jackson -



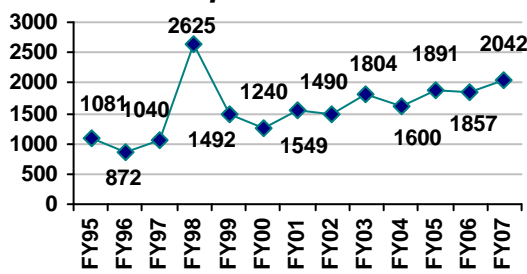
DISTRICT 34
- Caruthersville -



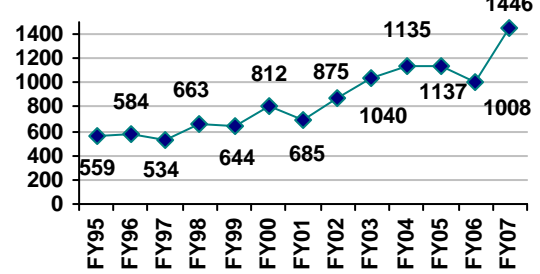
DISTRICT 35
- Kennett -



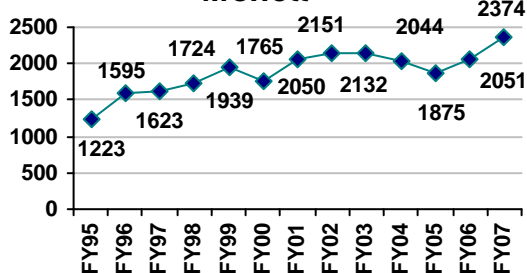
DISTRICT 36
- Poplar Bluff -



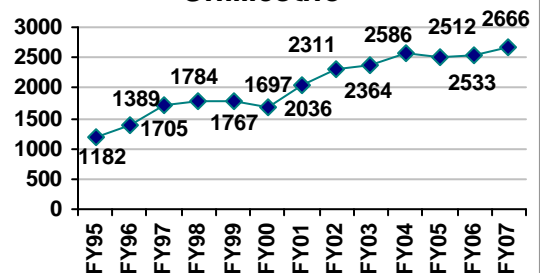
DISTRICT 37
- West Plains -



DISTRICT 39
- Monett -

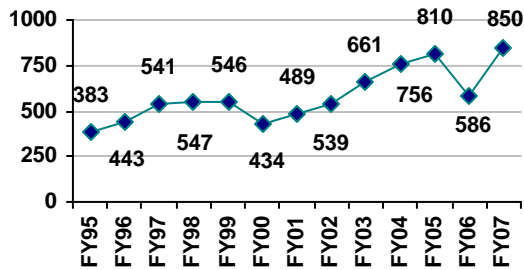


DISTRICT 43
- Chillicothe -

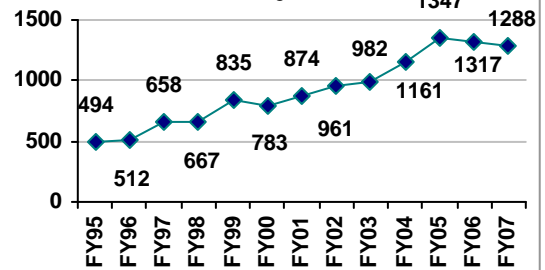


Disposed Caseload -By District FY1995 to FY2007

DISTRICT 44
- Ava -

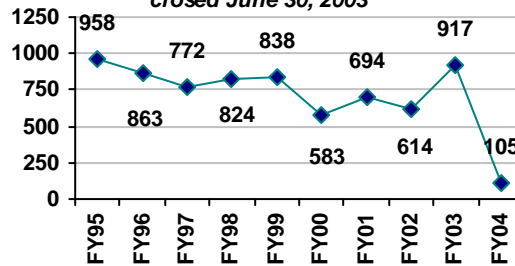


DISTRICT 45
- Troy -

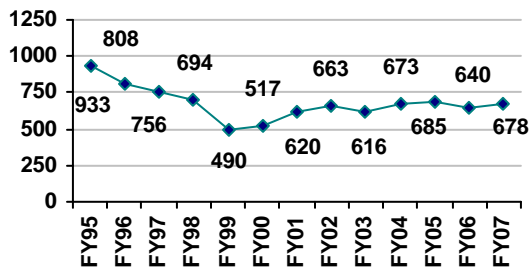


District 49

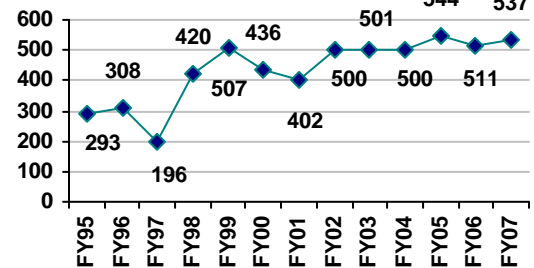
*St. Louis Conflicts
closed June 30, 2003*



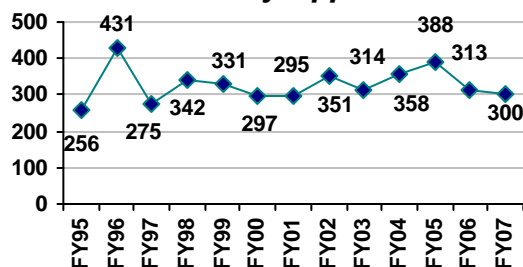
DISTRICT 50 & 67
- Columbia Appellate-



DISTRICT 51 & 68
- St. Louis Appellate -

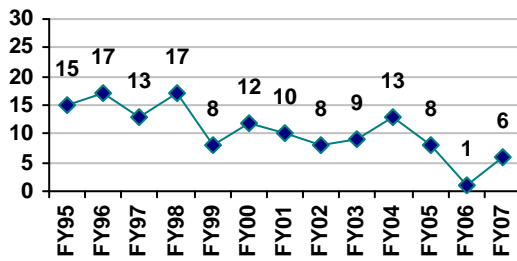


DISTRICT 52 & 69
- Kansas City Appellate-

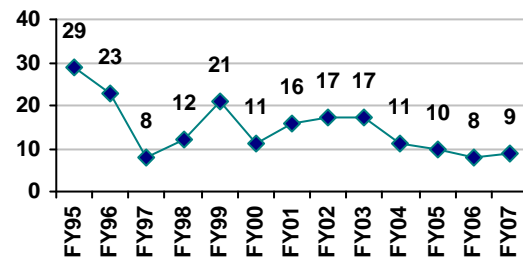


Disposed Caseload -By District FY1995 to FY2007

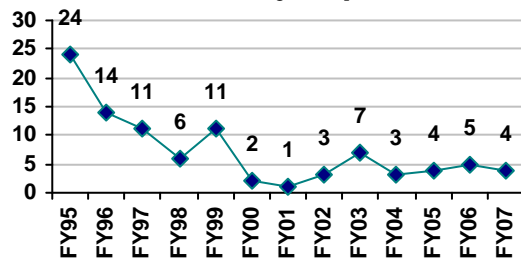
DISTRICT 53
- Columbia Capital -



DISTRICT 54
- St. Louis Capital -



DISTRICT 55
- Kansas City Capital -

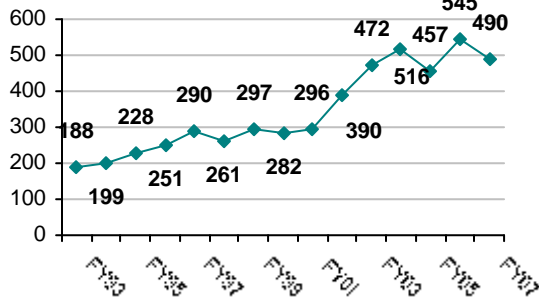


FY2007
Trial Division
Opened and Closed by County

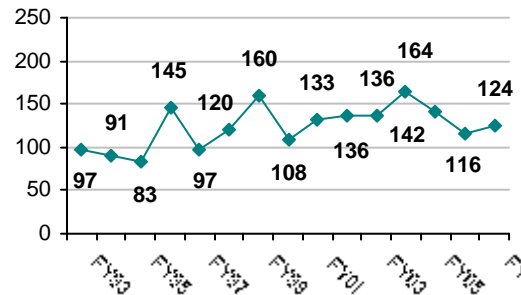
County	Opened	Closed	County	Opened	Closed	County	Opened	Closed
ADAIR	521	490	HARRISON	270	247	PHELPS	1,334	1,237
ANDREW	122	124	HENRY	495	442	PIKE	296	386
ATCHISON	69	74	HICKORY	141	123	PLATTE	1,099	1,159
AUDRAIN	823	831	HOLT	105	98	POLK	527	497
BARRY	726	681	HOWARD	187	187	PULASKI	625	669
BARTON	281	281	HOWELL	1,018	948	PUTNAM	138	149
BATES	473	473	IRON	263	266	RALLS	155	164
BENTON	282	290	JACKSON	8,892	8,552	RANDOLPH	759	732
BOLLINGER	94	104	JASPER	2,591	2,698	RAY	518	505
BOONE	4,470	4,343	JEFFERSON	1,850	1,893	REYNOLDS	37	43
BUCHANAN	2,343	2,274	JOHNSON	596	507	RIPLEY	473	494
BUTLER	1,184	1,122	KNOX	39	39	SALINE	371	346
CALDWELL	304	333	LACLEDE	827	789	SCHUYLER	46	57
CALLAWAY	659	676	LAFAYETTE	646	633	SCOTLAND	69	65
CAMDEN	636	660	LAWRENCE	757	768	SCOTT	733	727
CAPE GIRARDEAU	1,257	1,268	LEWIS	151	127	SHANNON	280	277
CARROLL	207	213	LINCOLN	1,060	902	SHELBY	161	148
CARTER	159	183	LINN	391	371	SOUTHERN	7	3
CASS	1,023	932	LIVINGSTON	340	319	ST. CHARLES	1,488	1,444
CEDAR	286	301	MACON	360	362	ST. CLAIR	156	160
CHARITON	133	118	MADISON	111	94	ST. FRANCOIS	1,007	1,002
CHRISTIAN	1,009	867	MARIES	126	141	ST. LOUIS CITY	6,918	6,545
CLARK	148	159	MARION	871	878	ST. LOUIS COUNTY	3,882	3,803
CLAY	1,857	1,768	MCDONALD	400	388	STE. GENEVIEVE	197	192
CLINTON	281	248	MERCER	113	116	STODDARD	602	639
COLE	1,342	1,139	MILLER	499	467	STONE	599	618
COOPER	206	191	MISSISSIPPI	441	417	SULLIVAN	85	83
CRAWFORD	626	580	MONITEAU	137	150	TANEY	988	925
DADE	147	124	MONROE	145	158	TEXAS	486	532
DALLAS	300	332	MONTGOMERY	217	181	VERNON	589	559
DAVIESS	331	368	MORGAN	317	375	WARREN	560	482
DEKALB	202	186	NEW MADRID	465	453	WASHINGTON	545	548
DENT	329	406	NEWTON	1,156	1,116	WAYNE	317	277
DOUGLAS	230	209	NODAWAY	139	146	WEBSTER	497	550
DUNKLIN	1,015	996	OREGON	213	182	WESTERN	4	4
FRANKLIN	1,172	1,187	OSAGE	127	119	WORTH	22	19
GASCONADE	228	195	OZARK	210	205	WRIGHT	504	465
GENTRY	75	74	PEMISCOT	653	614			
GREENE	3,888	3,752	PERRY	245	236			
GRUNDY	252	238	PETTIS	667	675		84,995	82,677

FISCAL YEAR COMPARISON—TRIAL DIVISION CASELOAD— CLOSED CASES BY COUNTY

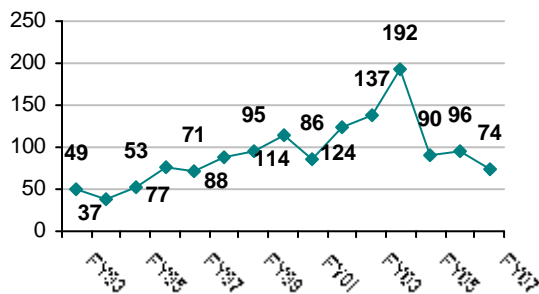
Adair



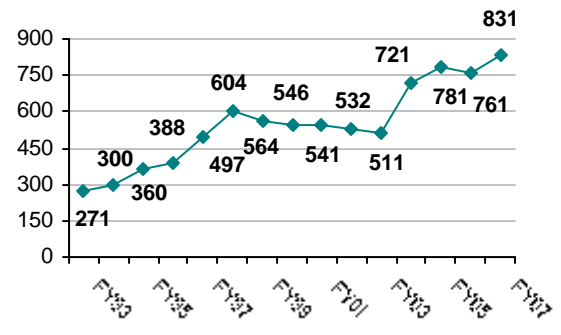
Andrew



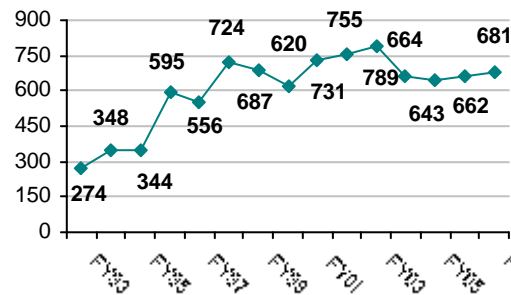
Atchinson



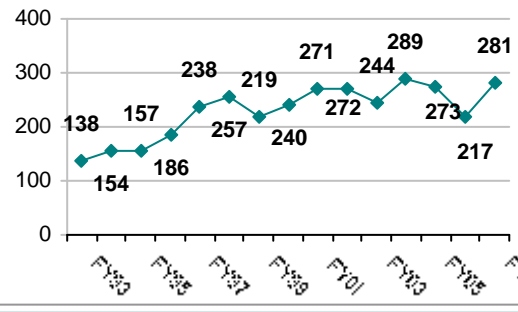
Audrain



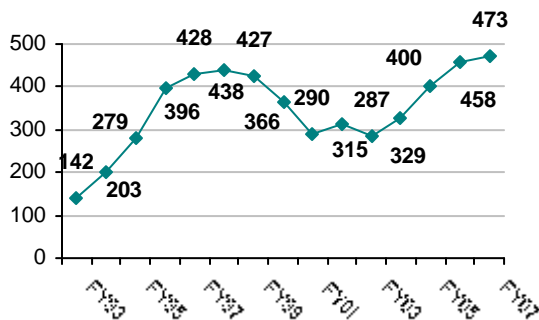
Barry



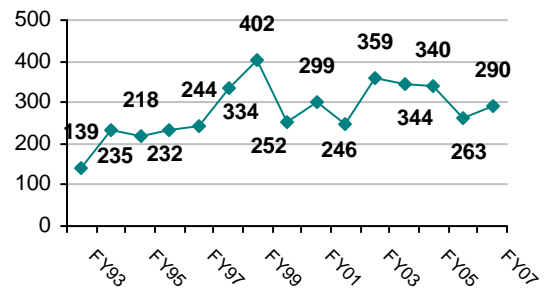
Barton



Bates

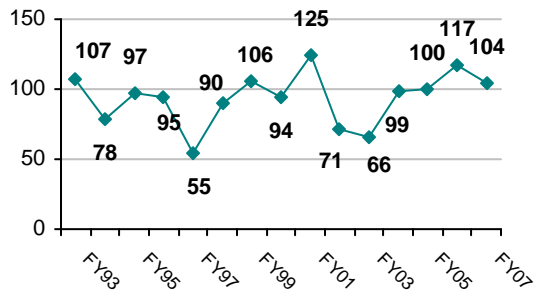


Benton

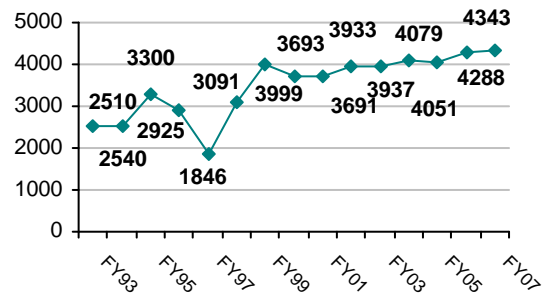


FISCAL YEAR COMPARISON—TRIAL DIVISION CASELOAD— CLOSED CASES BY COUNTY

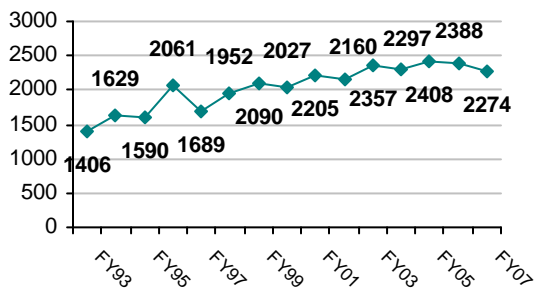
Bollinger



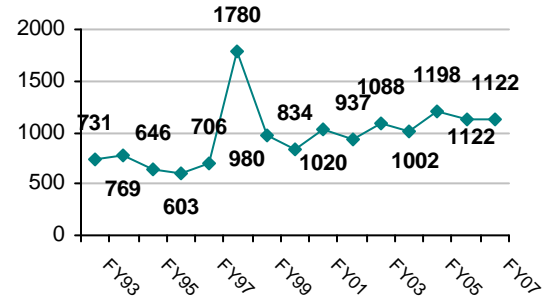
Boone



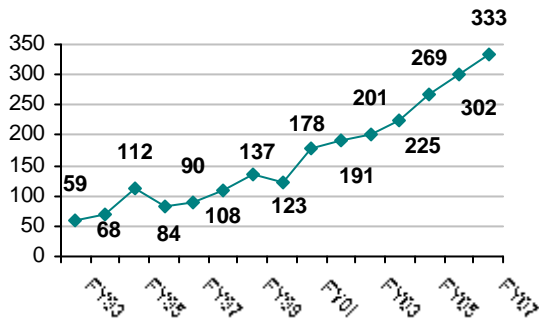
Buchanan



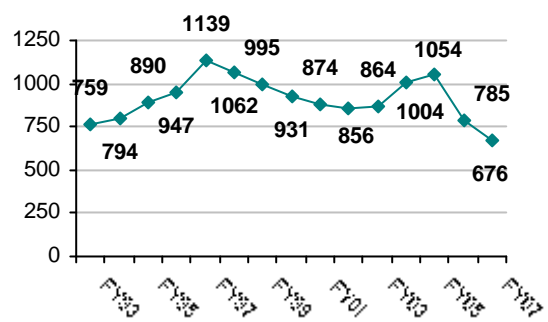
Butler



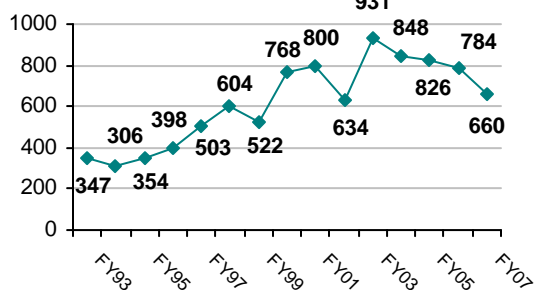
Caldwell



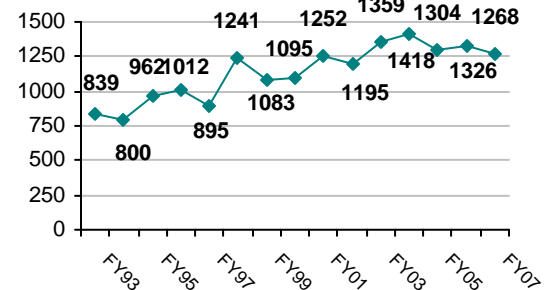
Callaway



Camden

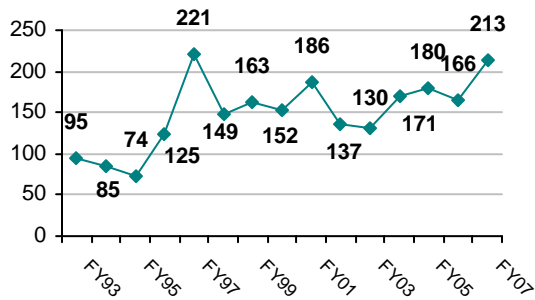


Cape Girardeau

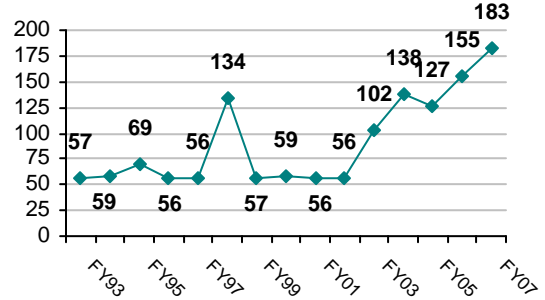


FISCAL YEAR COMPARISON—TRIAL DIVISION CASELOAD— CLOSED CASES BY COUNTY

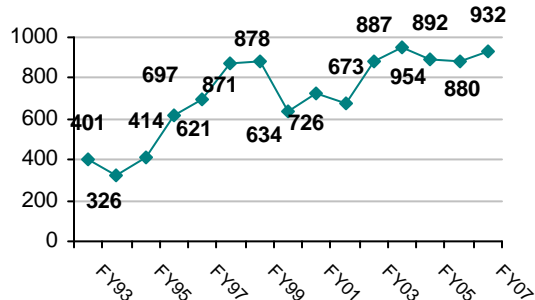
Carroll



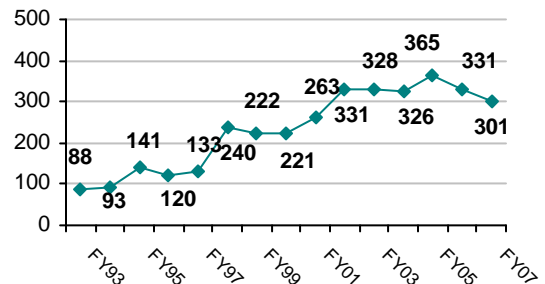
Carter



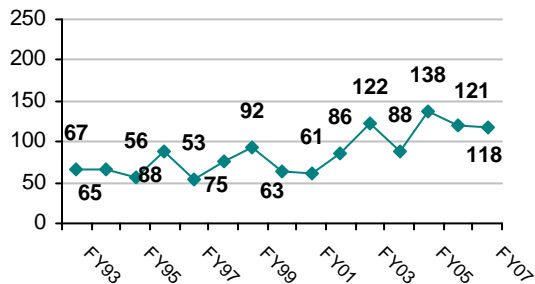
Cass



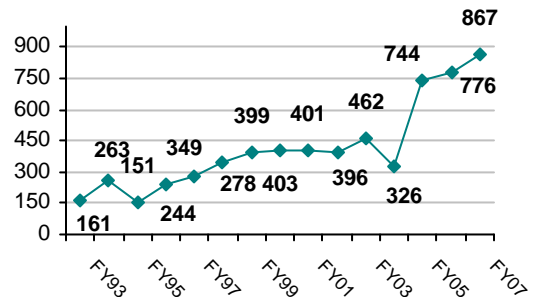
Cedar



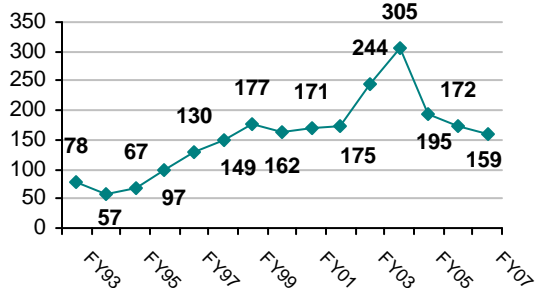
Chariton



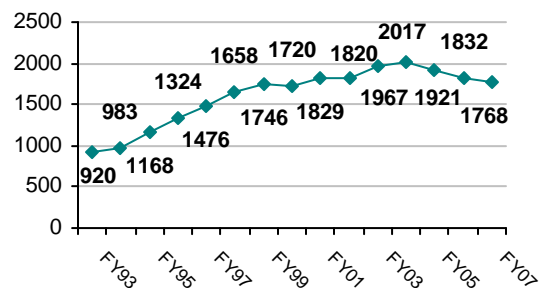
Christian



Clark

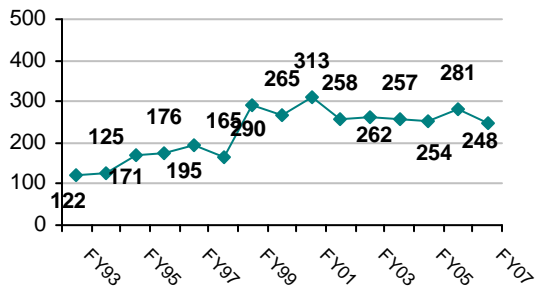


Clay

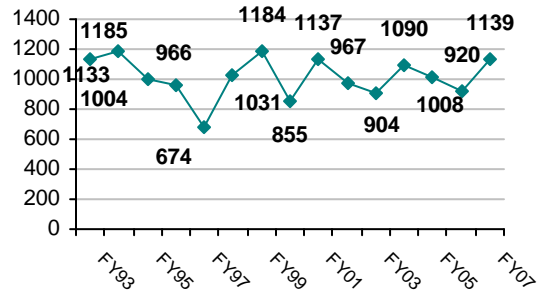


FISCAL YEAR COMPARISON—TRIAL DIVISION CASELOAD— CLOSED CASES BY COUNTY

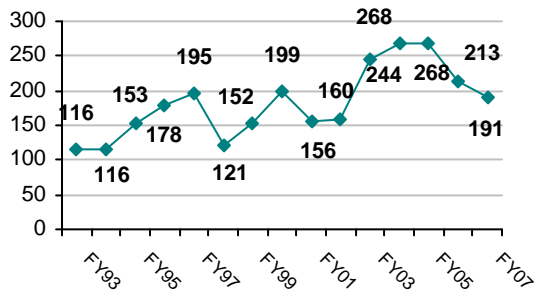
Clinton



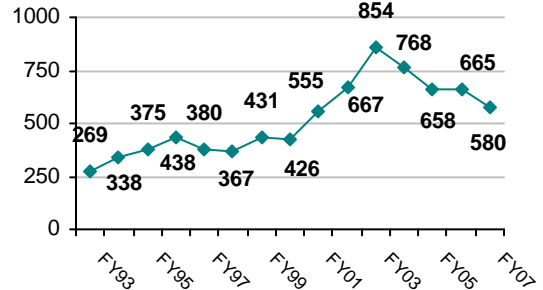
Cole



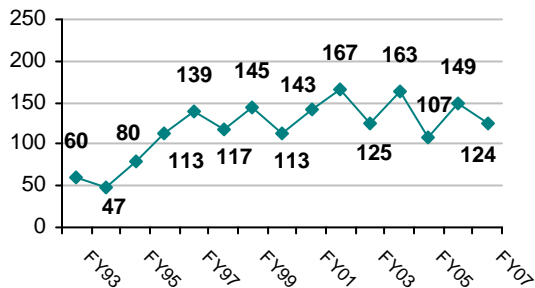
Cooper



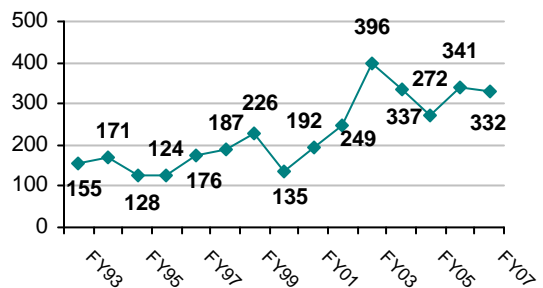
Crawford



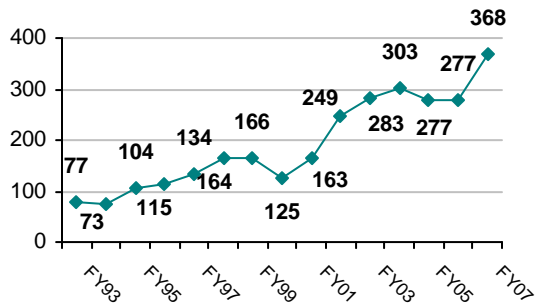
Dade



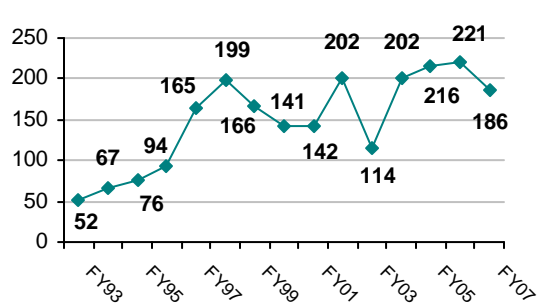
Dallas



Daviess

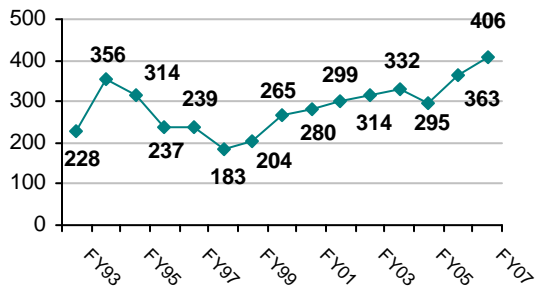


DeKalb

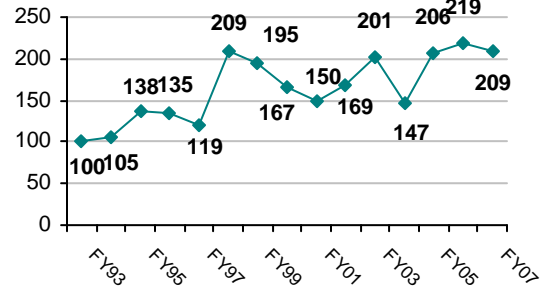


FISCAL YEAR COMPARISON—TRIAL DIVISION CASELOAD— CLOSED CASES BY COUNTY

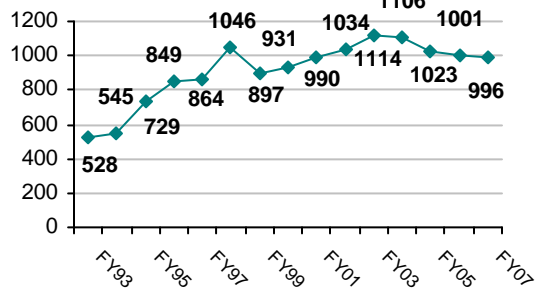
Dent



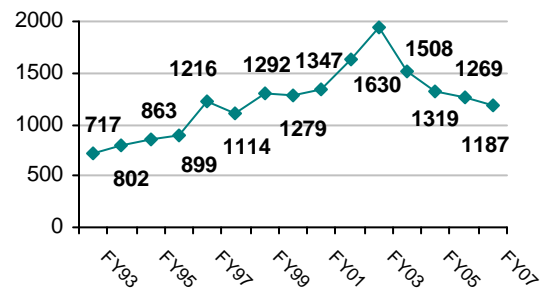
Douglas



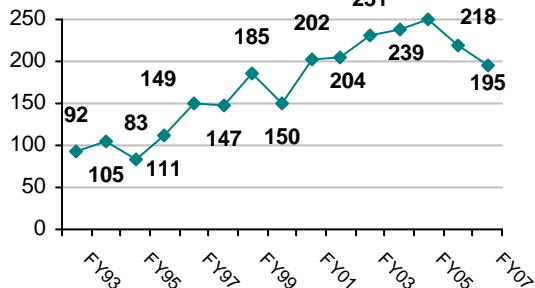
Dunklin



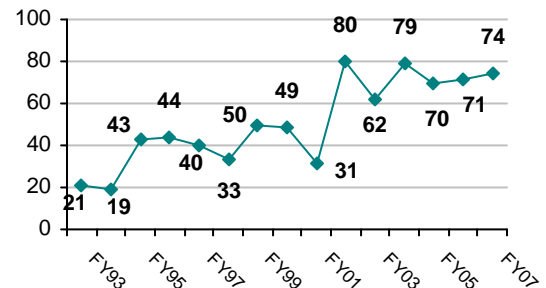
Franklin



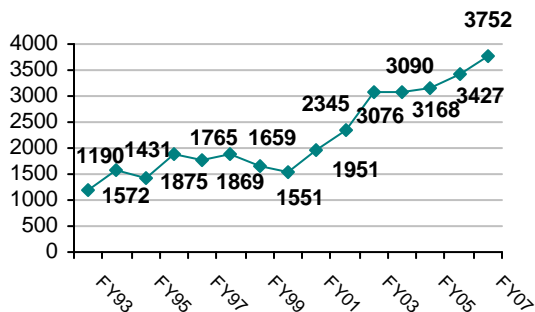
Gasconade



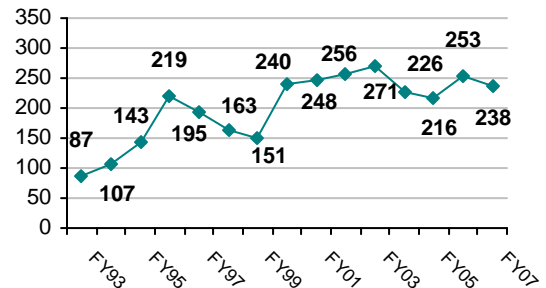
Gentry



Greene

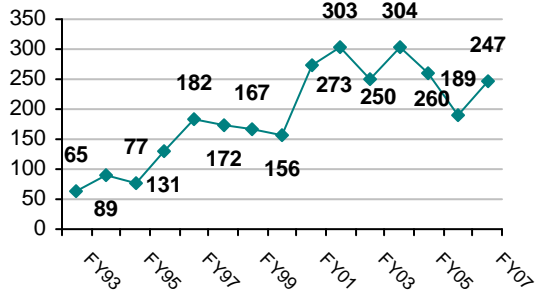


Grundy

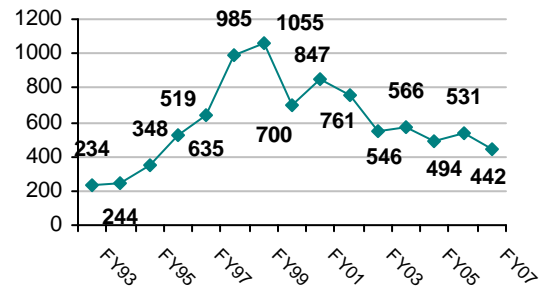


FISCAL YEAR COMPARISON—TRIAL DIVISION CASELOAD— CLOSED CASES BY COUNTY

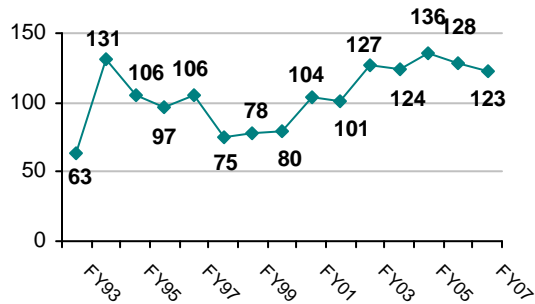
Harrison



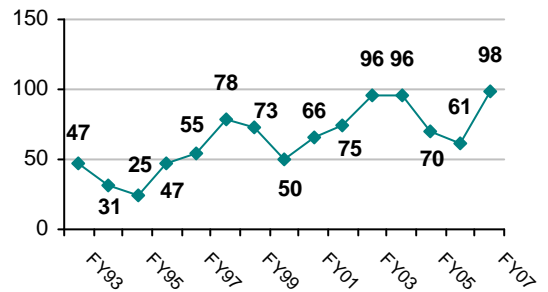
Henry



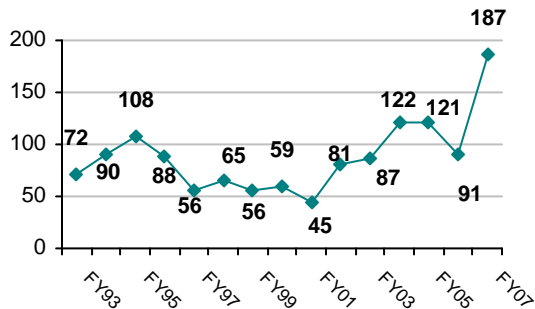
Hickory



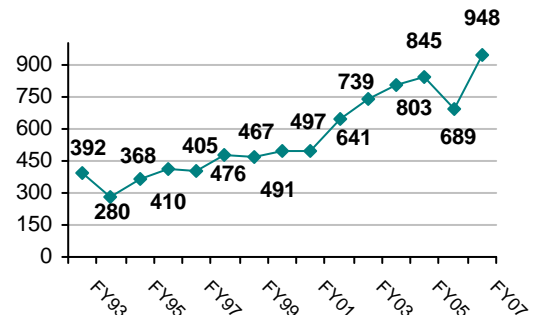
Holt



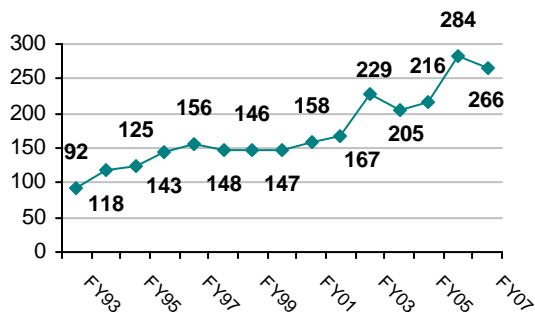
Howard



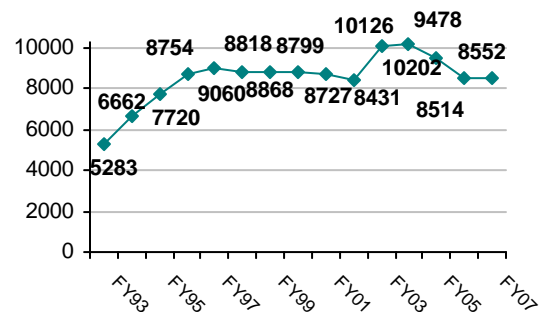
Howell



Iron

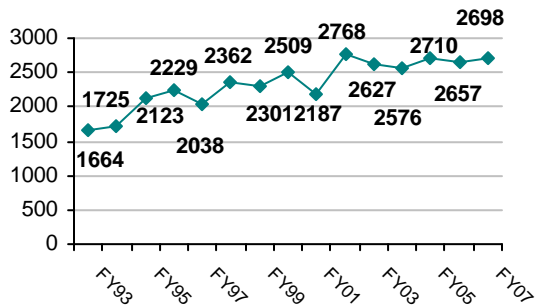


Jackson

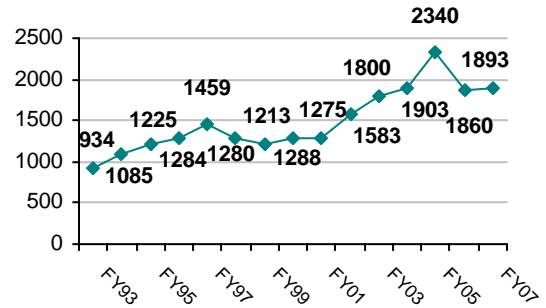


FISCAL YEAR COMPARISON—TRIAL DIVISION CASELOAD— CLOSED CASES BY COUNTY

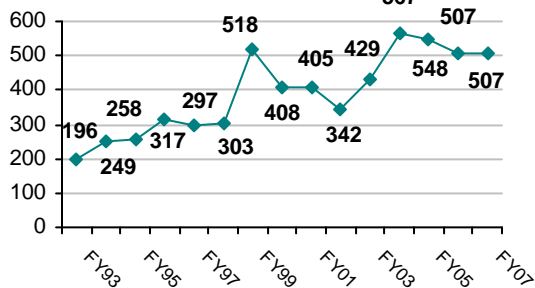
Jasper



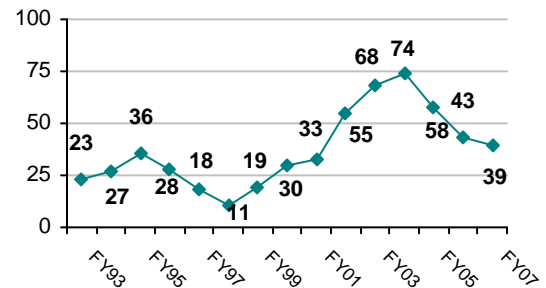
Jefferson



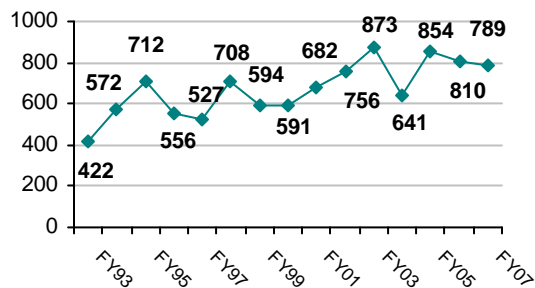
Johnson



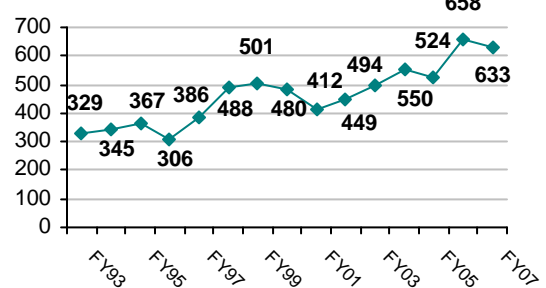
Knox



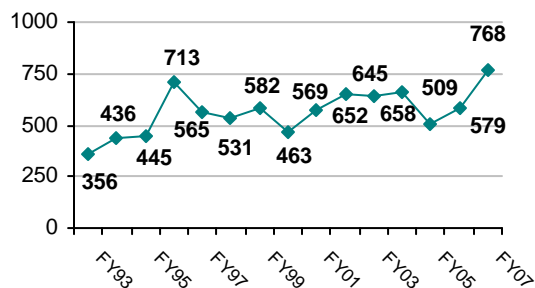
Laclede



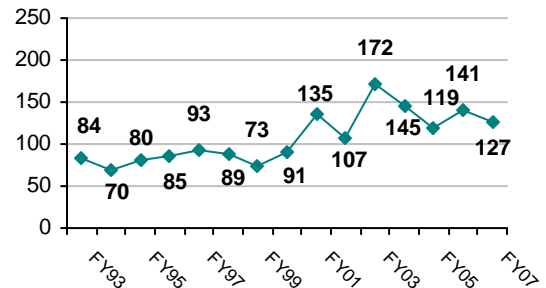
Lafayette



Lawrence

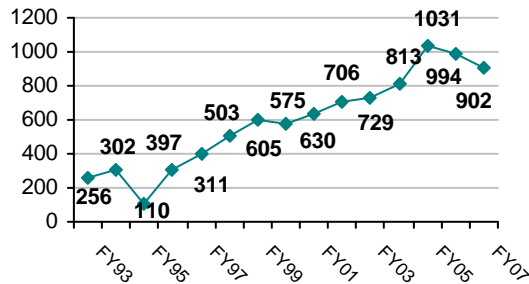


Lewis

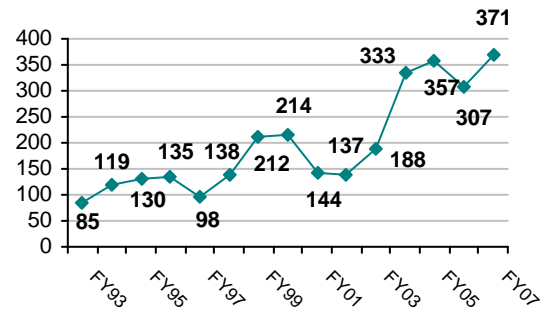


FISCAL YEAR COMPARISON—TRIAL DIVISION CASELOAD— CLOSED CASES BY COUNTY

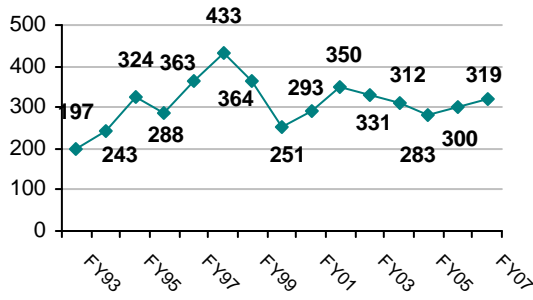
Lincoln



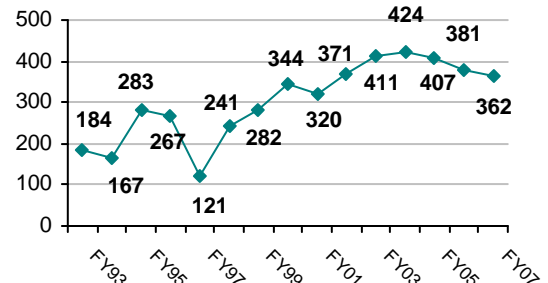
Linn



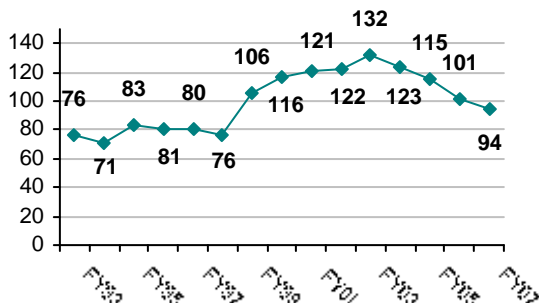
Livingston



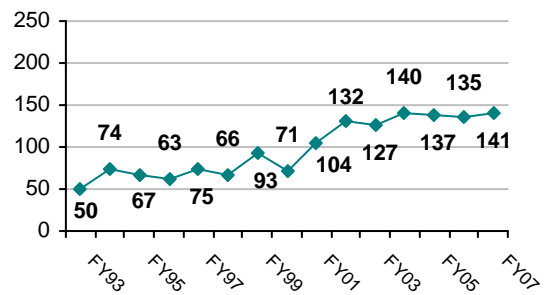
Macon



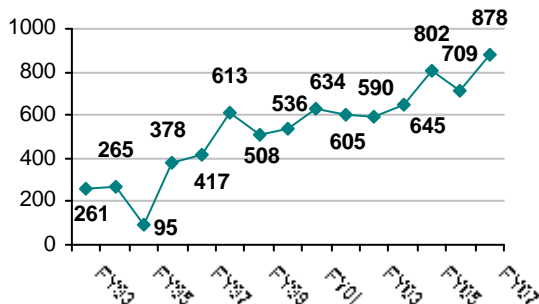
Madison



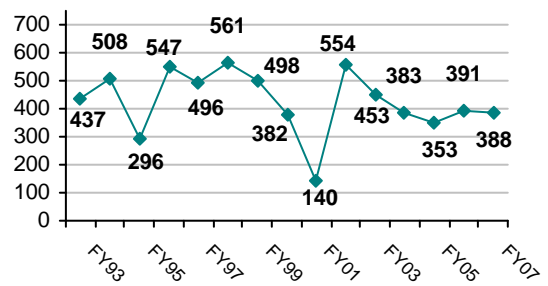
Maries



Marion

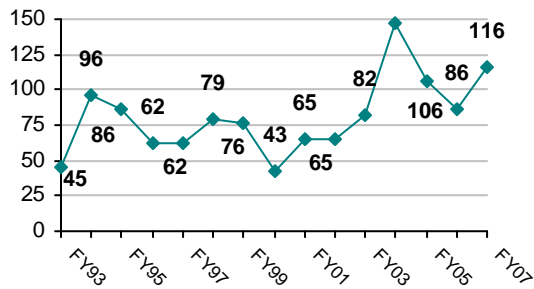


McDonald

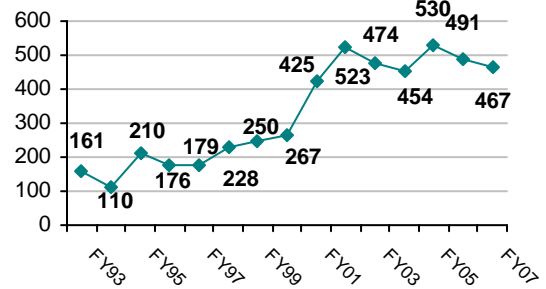


FISCAL YEAR COMPARISON—TRIAL DIVISION CASELOAD— CLOSED CASES BY COUNTY

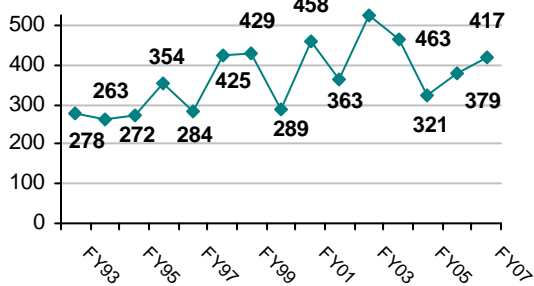
Mercer



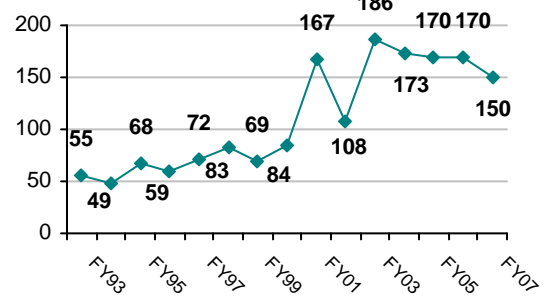
Miller



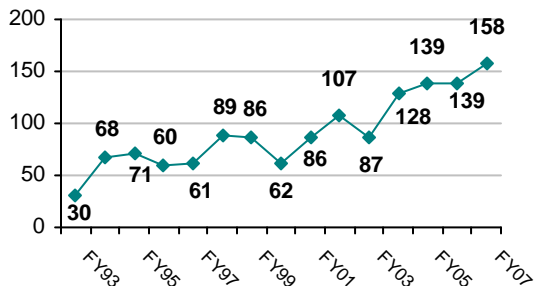
Mississippi



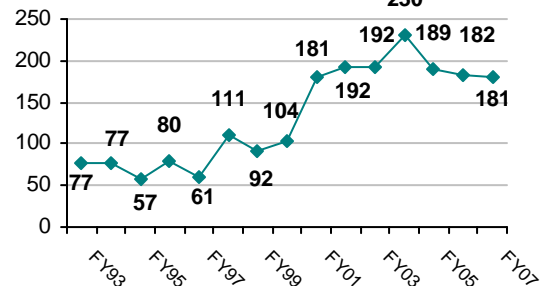
Moniteau



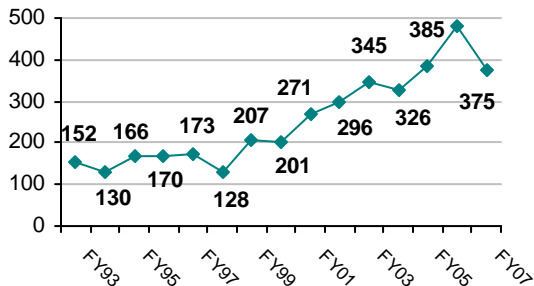
Monroe



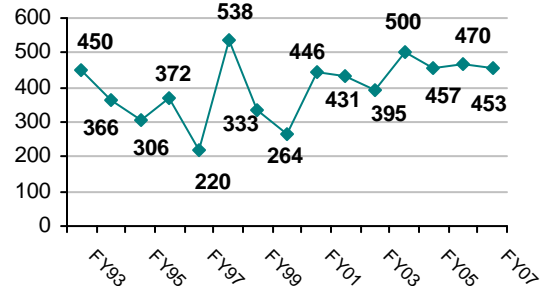
Montgomery



Morgan

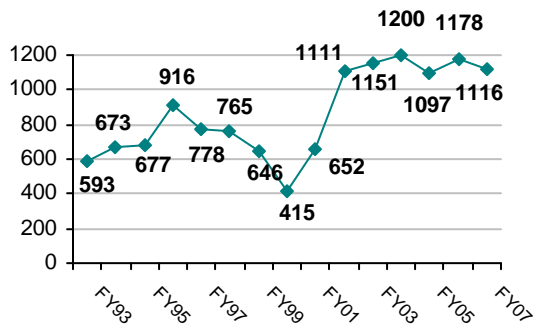


NewMadrid

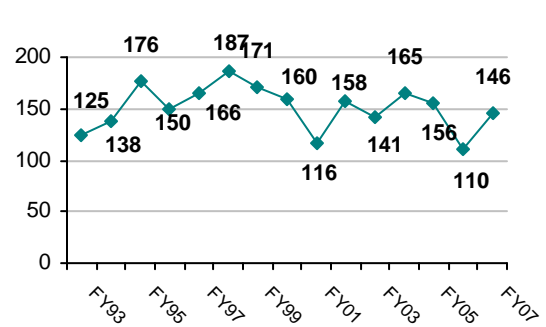


FISCAL YEAR COMPARISON—TRIAL DIVISION CASELOAD— CLOSED CASES BY COUNTY

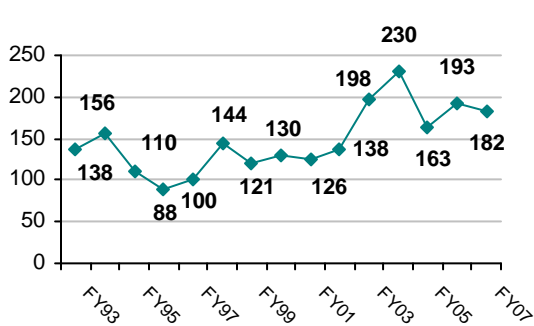
Newton



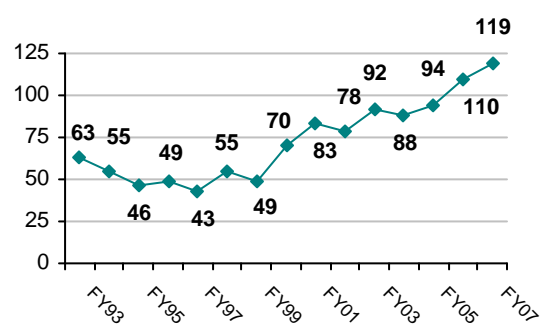
Nodaway



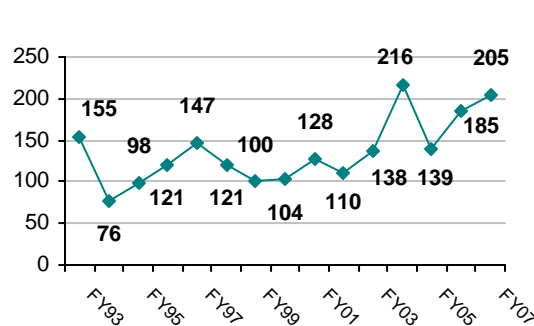
Oregon



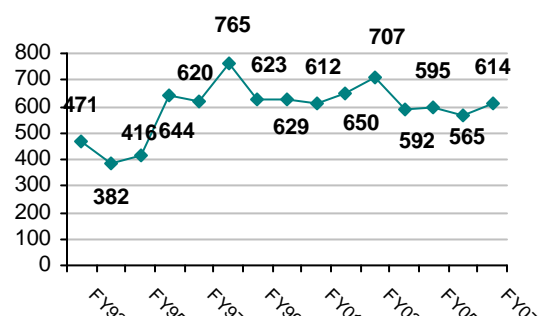
Osage



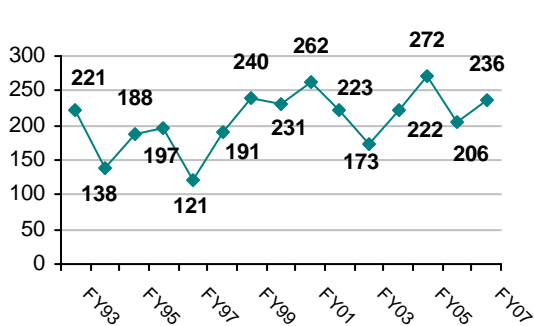
Ozark



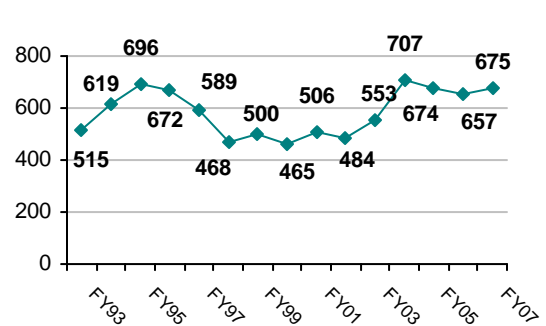
Pemiscot



Perry

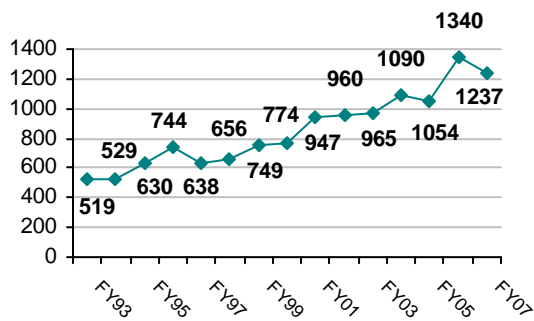


Pettis

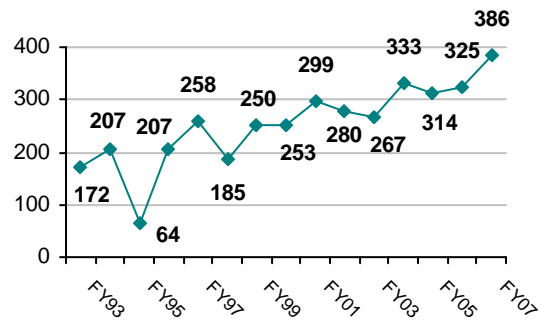


FISCAL YEAR COMPARISON—TRIAL DIVISION CASELOAD— CLOSED CASES BY COUNTY

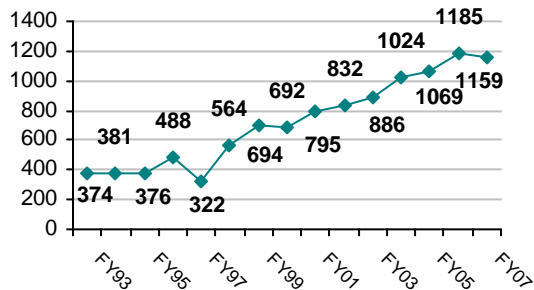
Phelps



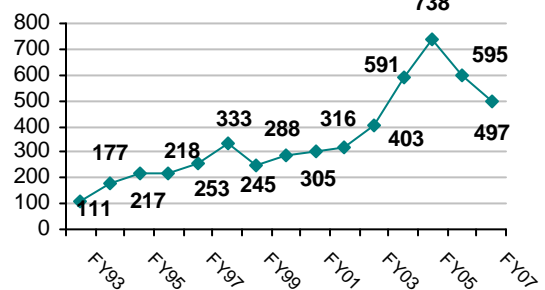
Pike



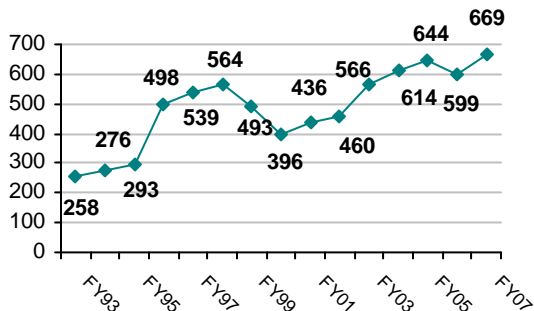
Platte



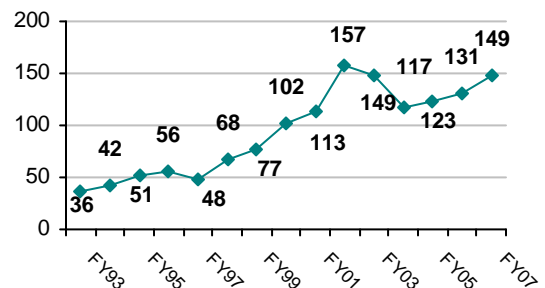
Polk



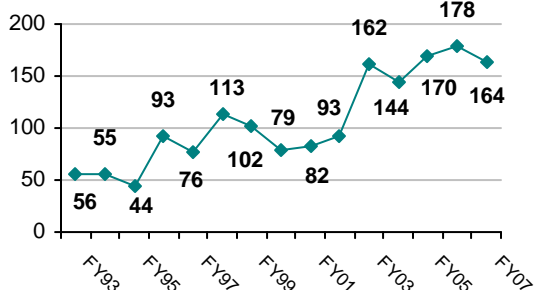
Pulaski



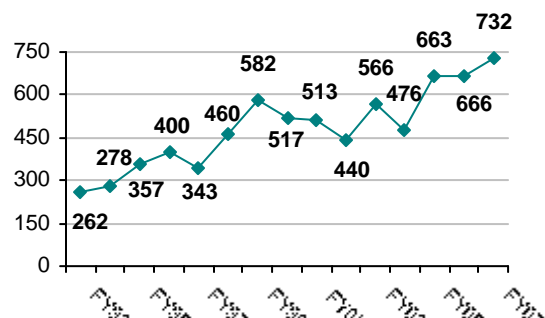
Putnam



Ralls

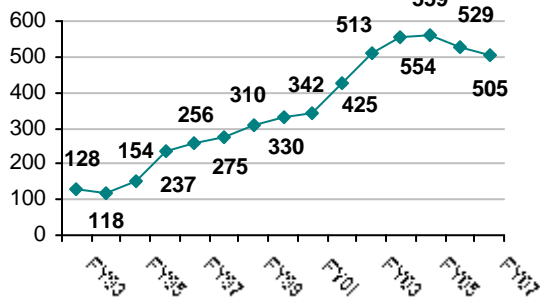


Randolph

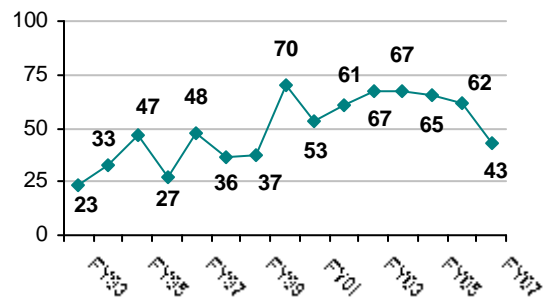


FISCAL YEAR COMPARISON—TRIAL DIVISION CASELOAD— CLOSED CASES BY COUNTY

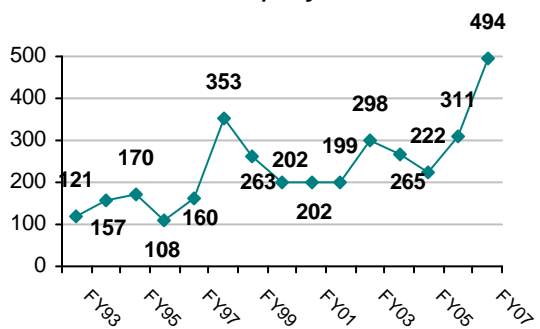
Ray



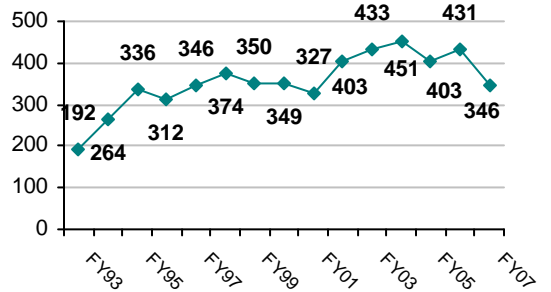
Reynolds



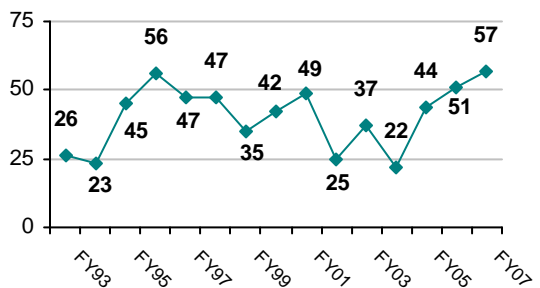
Ripley



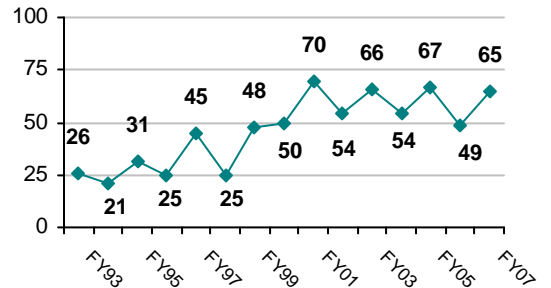
Saline



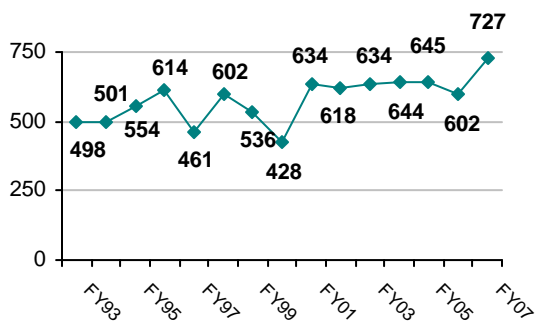
Schuyler



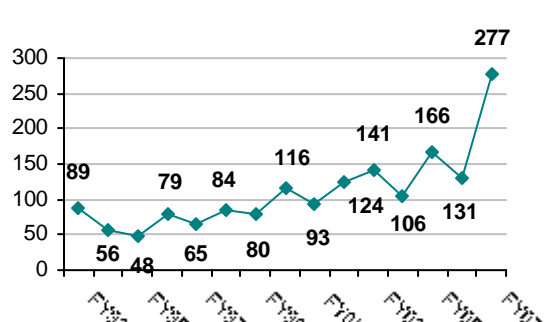
Scotland



Scott

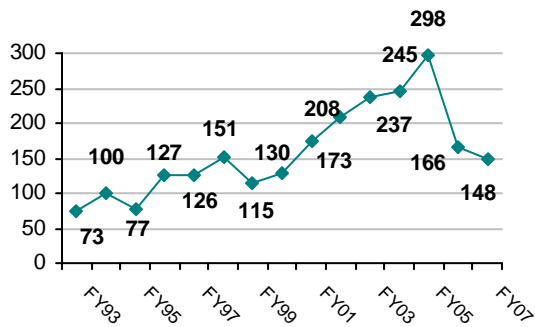


Shannon

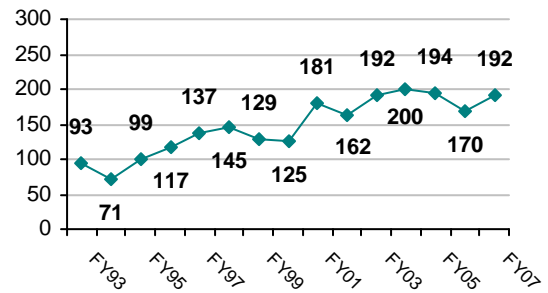


FISCAL YEAR COMPARISON—TRIAL DIVISION CASELOAD— CLOSED CASES BY COUNTY

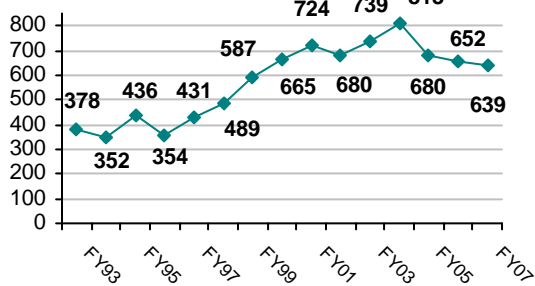
Shelby



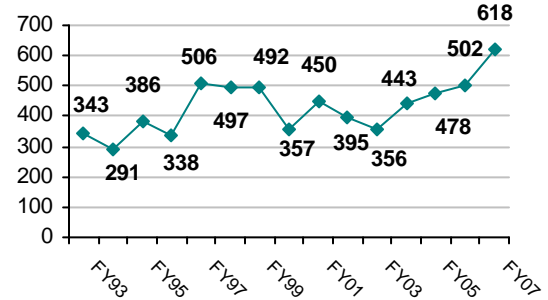
Ste. Genevieve



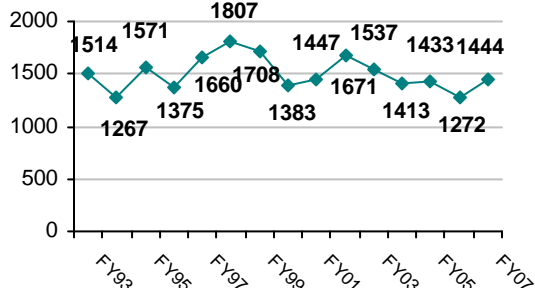
Stoddard



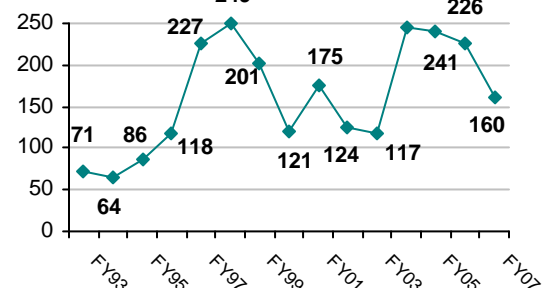
Stone



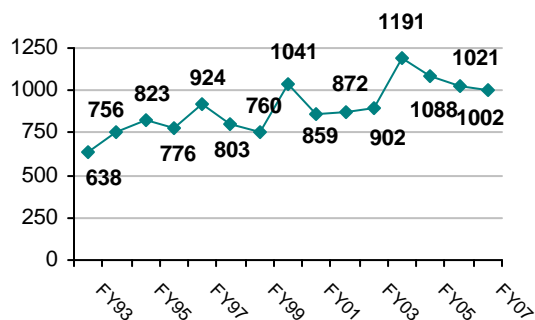
St. Charles



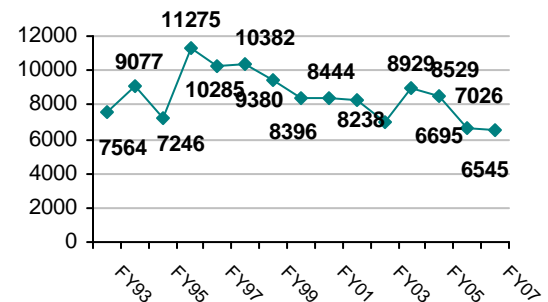
St. Clair



St. Francois

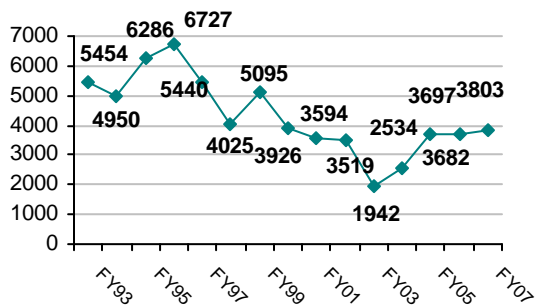


St. Louis City

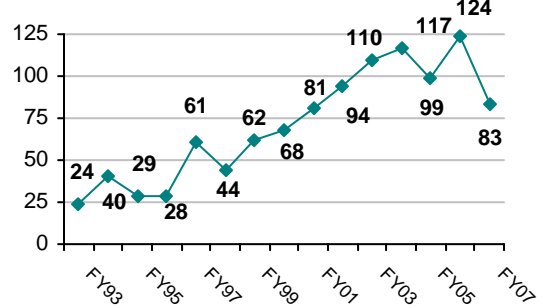


FISCAL YEAR COMPARISON—TRIAL DIVISION CASELOAD— CLOSED CASES BY COUNTY

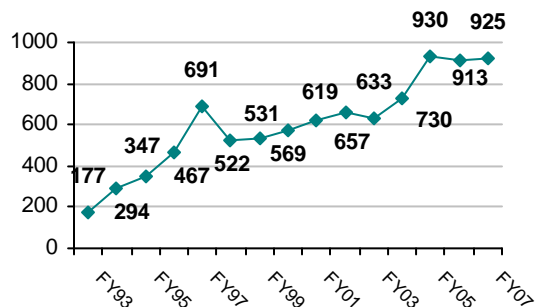
St. Louis County



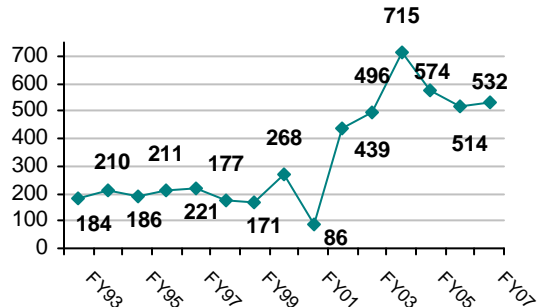
Sullivan



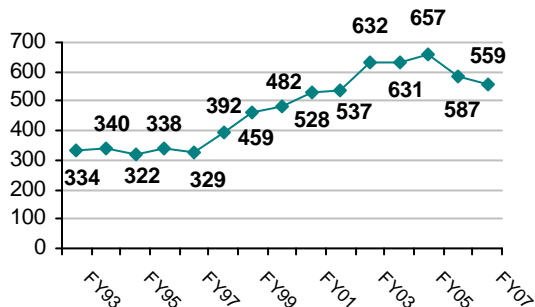
Taney



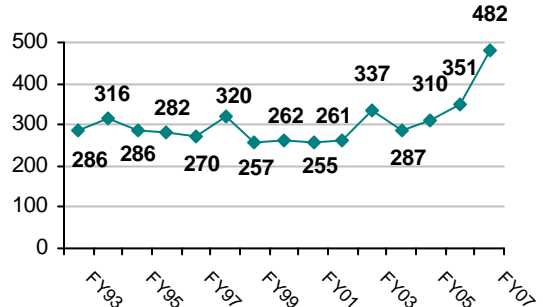
Texas



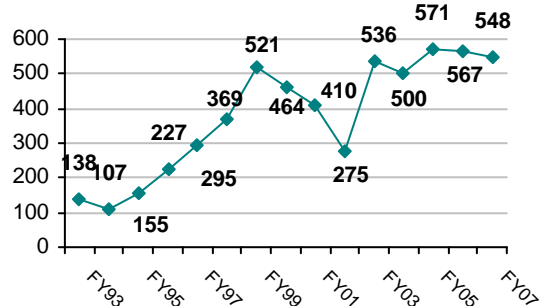
Vernon



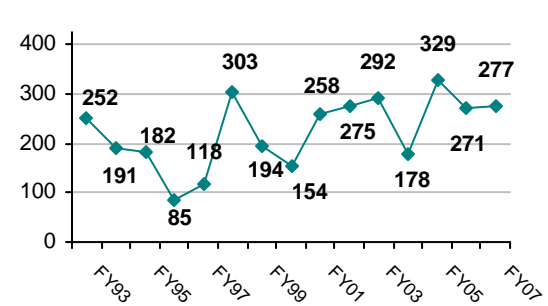
Warren



Washington

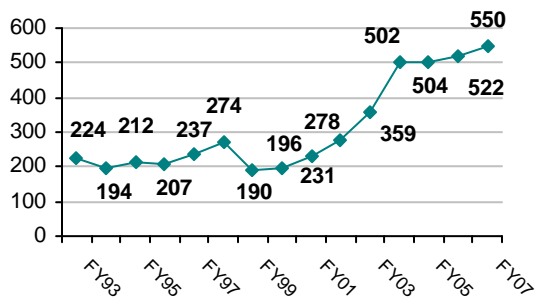


Wayne

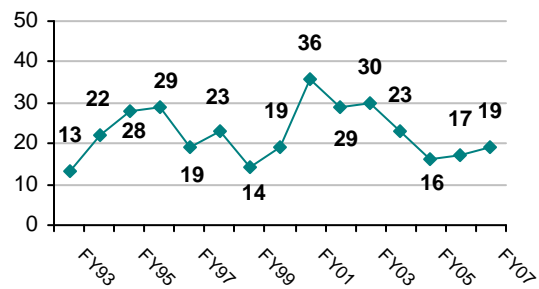


FISCAL YEAR COMPARISON—TRIAL DIVISION CASELOAD— CLOSED CASES BY COUNTY

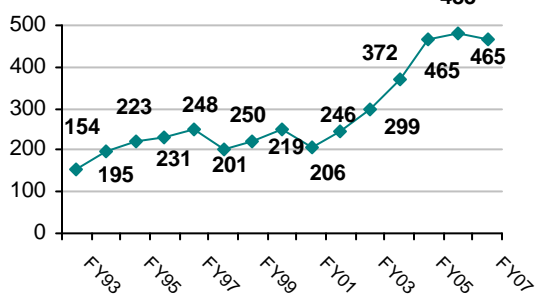
Webster



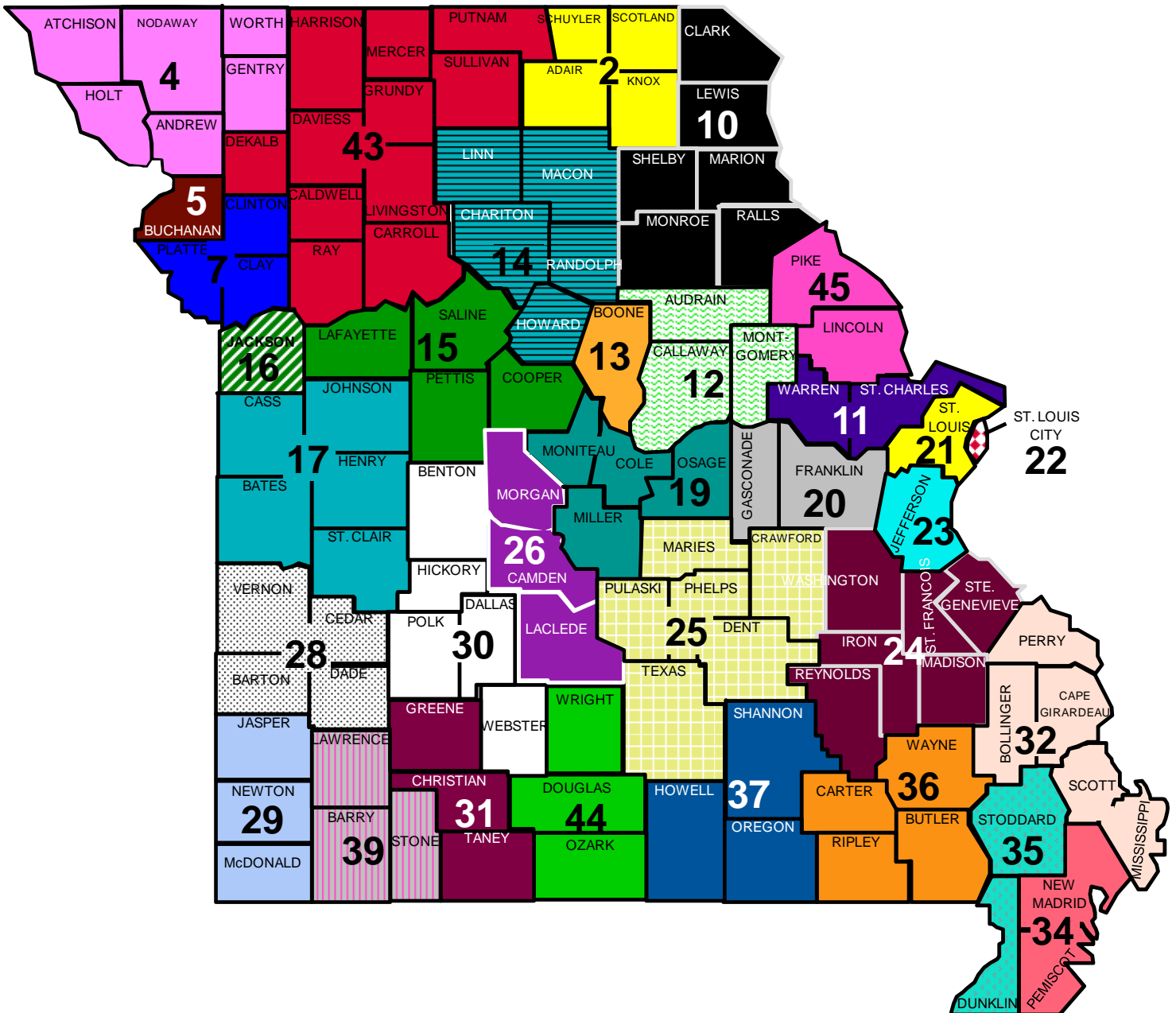
Worth



Wright



Trial Division District Map



Commitment Defense Representation

The Missouri State Public Defender Commitment Defense Unit represents poor people against whom the state has instituted civil commitment proceedings under Missouri's Sexually Violent Predator law. This law enables the state to indefinitely detain people who have no new conviction and who have completed their prison sentences on certain types of sex offenses.

The Commitment Defense cases require experienced attorneys familiar with complex litigation and the use of expert witnesses. In addition to extensive knowledge of criminal law, these cases also require our attorneys to have extensive knowledge of civil law and litigation. Courts have interpreted many of these civil commitment proceeding to be civil rather than criminal, but we are statutorily required to represent these clients.

FY2007 Commitment Defense Unit Caseload Statistics	
	# of Cases
Opened in FY2007	
Petitions for Commitment	19
Petitions for Release	<u>14</u>
Total for 2007	33
Closed in FY2007	
Jury Trials (Commitment)	5
Dismissal (Deceased)	1
Preponderance Hearing	1
Release Petitions Delayed	2
Release Petition (Hired Private Couns	<u>1</u>
Total for 2007	10

Caseload and Cost Highlights

A. Caseload

3. Conflict Assignments

When the local public defender office has a conflict that prevents it from representing an eligible defendant (e.g. the office already represents a co-defendant or a witness in that case or on another matter), those cases must be provided other counsel. The majority of these cases are transferred to another public defender office, but such transfers are often not the most efficient since it then requires an assistant public defender to travel to another county for just one case or to see just one client. Often, the most efficient method of dealing with these conflicts is the hiring of private counsel to provide representation in the case. In FY2007, MSPD made 916 conflict assignments to such outside counsel.

FY2007 CONFLICT ASSIGNMENTS By Case Type		
Code	Description	# of Cases Assigned
00	Advice of Counsel	3
10	Murder – Death Penalty	6
15	Murder – 1 st Degree	15
20	Other Homicide	13
30	A-B Felony	230
35	C-D Felony	422
40	Misdemeanor	99
52	Juvenile	18
54	Post Conviction Relief – Rule 24	52
59	Post Conviction Relief – Rule 29	5
60	Chapter 552	0
62	Sexual Predator	1
65	Probation Violation	51
80	29.15 Appeal	0
82	Direct Appeal	1
	Total Private Counsel Conflict Assignments	916

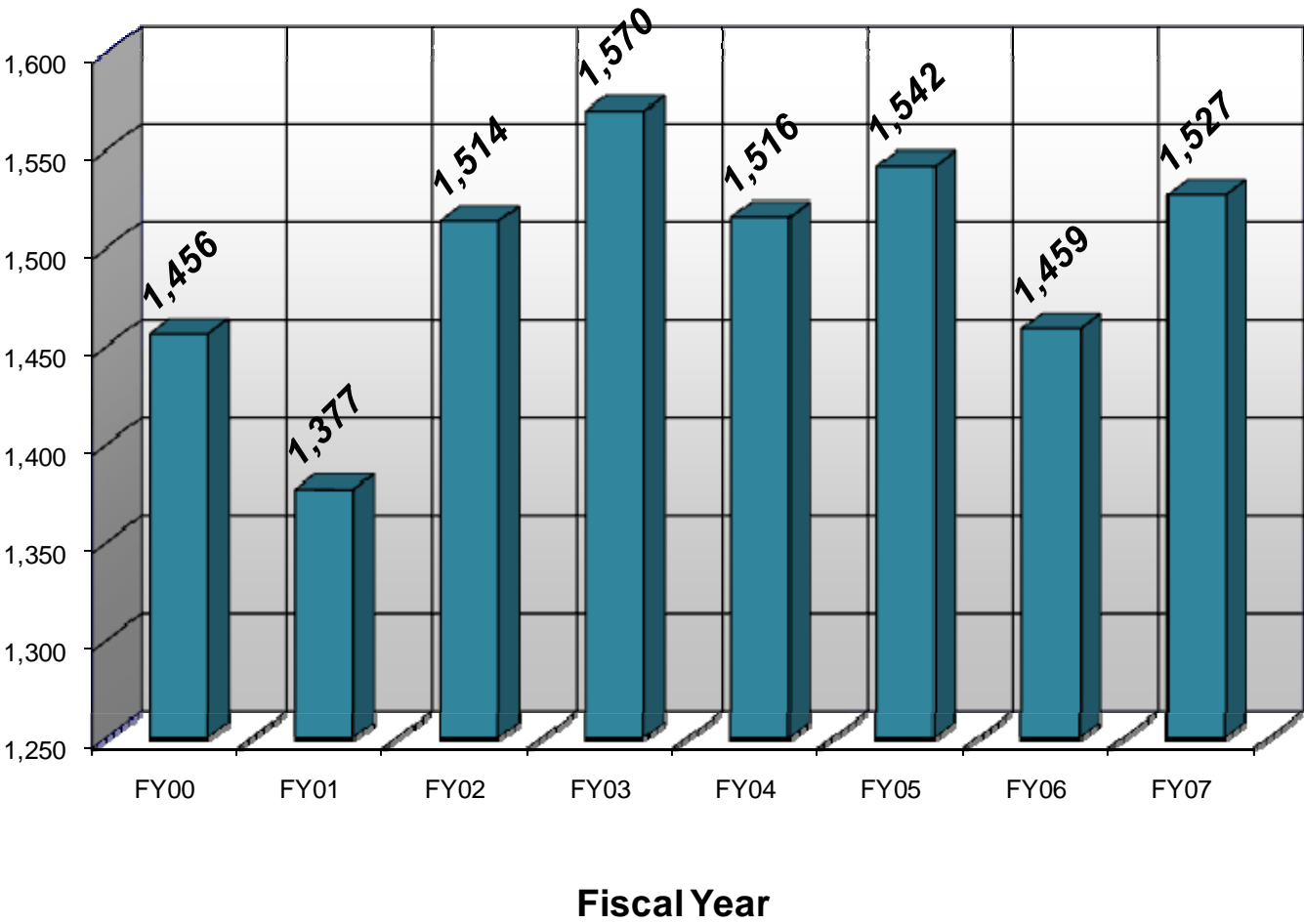
Caseload and Cost Highlights

A. Caseload

4. Appellate / Post Conviction Caseload

FY2007 APPELLATE DIVISION CASELOAD Cases Opened and Closed							
	Central Columbia		Eastern St. Louis		Western Kansas City		Totals
	Area 50	Area 67	Area 51	Area 68	Area 52	Area 69	
Death PCR							
Opened	3	0	0	0	1	0	4
Closed	3	2	1	0	0	0	6
Felony Appeals							
Opened	234	0	36	39	28	24	361
Closed	236	0	39	45	22	21	363
PCR Appeals							
Opened	69	33	75	101	36	38	352
Closed	70	46	66	92	23	34	331
PCR Trials							
Opened	0	307	137	116	102	105	767
Closed	0	290	121	169	89	109	778
Other (DNA, 29.07, 29.13, Rule 87, State's Appeals, 29.27, Writs, CDU)							
Opened	27	7	2	2	1	4	43
Closed	24	7	3	1	1	1	37
Appellate Division Totals							
Opened	333	347	250	258	168	171	1,527
Closed	333	345	230	307	135	165	1,515
Totals							
Opened	680		508		339		1,527
Closed	678		537		300		1,515
	Central Columbia		Eastern St. Louis		Western Kansas City		

New Appellate Cases



FY2007
Appellate Cases Disposed
By Disposition Code

Code		District 50	District 51	District 52	District 67	District 68	District 69
42	Conflict (Transferred for Assignment)	0	1	2	51	4	3
41	Conflict (Transfer to Public Defender Office)	19	2	5	8	5	4
37	Guilty Plea Vacated	1	3	1	9	1	4
36	Reversed for Sufficiency/Client Discharged	3	0	0	0	0	0
35	Reversed - Findings of Fact/Conclusions of Law	3	1	0	0	0	0
34	Reversed for New Trial	1	0	0	0	0	1
33	Reversed & Remanded for Sentencing Relief	0	1	4	11	4	4
32	Reversed & Remanded for Resentencing	4	0	0	0	2	0
31	Reversed & Remanded for PCR Hearing	1	2	1	2	0	0
30	Reversed & Remanded for New Trial	8	0	3	1	1	5
21	Denied Without Hearing	0	44	10	30	63	10
20	Denied After Hearing	0	24	21	63	44	27
12	Summary Affirmance	134	87	25	0	113	0
11	Affirmed in part/Reversed & Remanded in Part	12	2	0	0	1	2
10	Affirmed After Opinion	86	4	9	40	3	41
03	Dismissed by Court	19	19	8	42	14	4
02	Voluntary Dismissal	24	26	39	76	39	48
01	Withdraw	17	13	6	7	9	11
00	Unknown	1	1	1	5	4	1
	Totals	333	230	135	345	307	165

Caseload and Cost Highlights

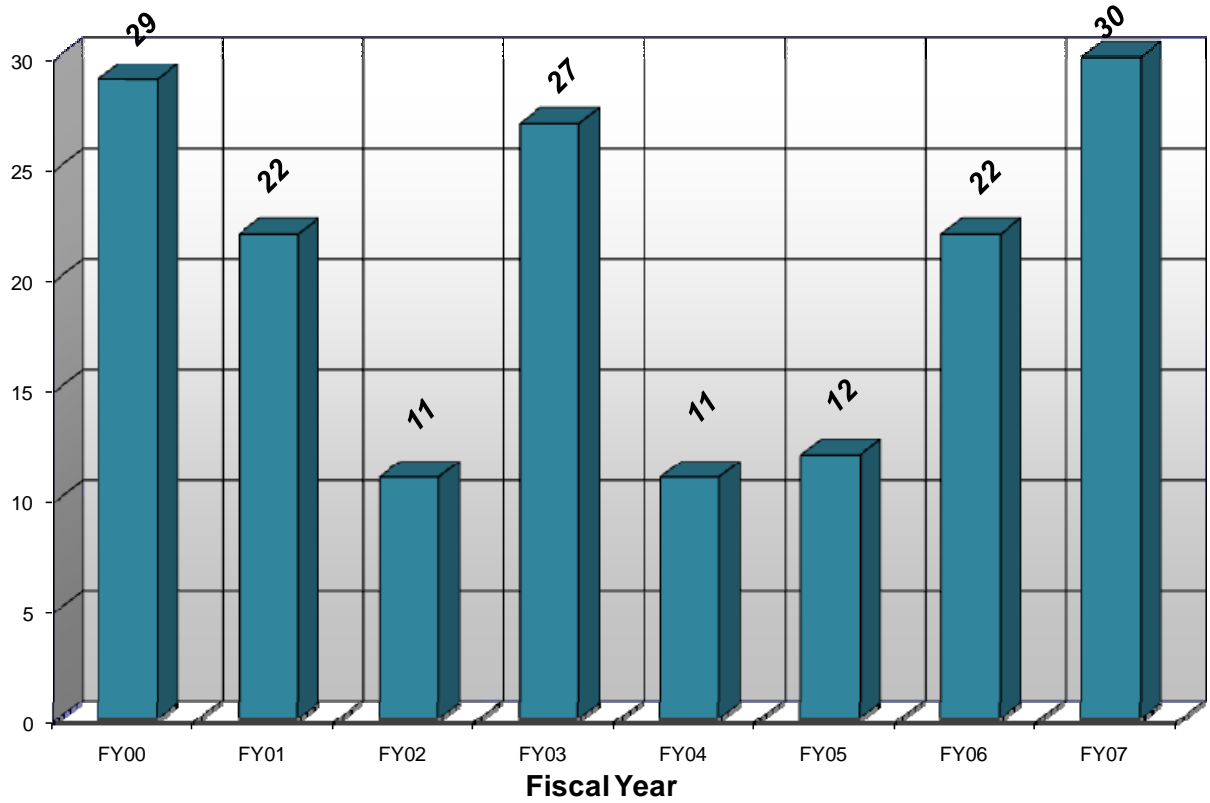
A. Caseload

5. Capital Division Caseload

FY2007 CAPITAL DIVISION Death Penalty Caseload			
	Opened	Closed	Current
Central Office - Columbia -			
Trials	7	6	12
Appeals - Death	0	0	1
Appeals - Non Death	2	0	2
Totals	9	6	15
Eastern Office - St. Louis City -			
Trials	9	7	23
Appeals - Death	1	1	1
Appeals - Non Death	1	1	1
Totals	11	9	25
Western Office - Kansas City -			
Trials	2	2	5
Appeals - Death	1	1	2
Appeals - Non Death	7	1	5
Totals	10	4	12
Total Death Penalty			
Trials	18	15	40
Appeals - Death	2	2	4
Appeals - Non Death	10	2	8
Totals	30	19	52

The Direct Appeals of Death Penalty Cases was transferred to the Capital Division in October of 1997. In addition to the Direct Appeals, the staff assigned to direct appeals of death penalty cases assist the Capital Division Trial staff in trial preparation.

New Capital Cases



SECOND REGULAR SESSION
TRULY AGREED TO AND FINALLY PASSED

HOUSE BILL 1012
93RD GENERAL ASSEMBLY
Fiscal Year 2007

Section 12.400. To the Office of State Public Defender

For the purpose of funding the State Public Defender System

Personal Service - 0911	\$24,859,129
Expense & Equipment - 0912	<u>\$3,652,691*</u>
Subtotal – Full Flexibility is allowed between these two appropriations	\$28,511,820
* Includes \$415,500 Supplemental Appropriation	

For payment of expenses as provided by Chapter 600, RSMo.
associated with the defense of violent crimes and/or the defense
of cases where a conflict of interest exists - **8727**

\$2,241,502

From General Revenue Fund - 0101 \$30,753,322

For expenses authorized by the Public Defender Commission as
provided by Section 600.090, RSMo.

Personal Service – 0951	\$122,073
Expense and Equipment - 7673	<u>\$2,850,756**</u>
From Legal Defense and Defender Fund - 0670	\$2,972,829
** LDDF Spending Authority increased \$1,000,000 by Supplemental Appropriation	

For refunds set-off against debts as required by
Section 143.786, RSMo. (Estimated Appropriation)

From Debt Offset Escrow Fund Fund 0753 – App. #3023 \$1,200,000***
***Ceiling increased by \$850,000 during Fiscal Year

For all grants and contributions of funds from the federal
government or from any other source which may be deposited
in the State Treasury for the use of the Office of the State
Public Defender

From Federal Fund Fund 0112 – App. # 4006 \$125,000

Total (Not to exceed 560.13 F.T.E.) \$35,051,151

Cost of Cases Closed

The direct cost, on average, of all cases disposed by the State Public Defender System (including Death Penalty Representation) in Fiscal Year 2007 was \$319.31. The Trial Division average was \$254.48. These both compare very favorably to the last computed average under the old appointed counsel system of \$390 per case in 1981.

FY 2007 - Trial Division Cost Per Case

	Location	Current District Defender	Total Costs For District	FY07 Cases Assigned	Cost Per Assignment	FY07 Cases Disposed	Cost Per Disposition
1	Juvenile	Office Closed	\$316,194.13	869	\$363.86	710	\$445.34
2	Kirksville	Kevin Locke	\$191,866.64	660	\$290.71	667	\$287.66
4	Maryville	Jeff Stephens	\$203,422.79	585	\$347.73	585	\$347.73
5	St. Joseph	Michelle Davidson	\$496,874.46	2,287	\$217.26	2,216	\$224.22
6	Kansas City Juvenile	Office Closed	\$337,610.57	990	\$341.02	952	\$354.63
7	Liberty	Anthony Cardarella	\$796,288.89	3,298	\$241.45	3,224	\$246.99
10	Hannibal	Todd Schulze	\$335,861.20	1,615	\$207.96	1,608	\$208.87
11	St. Charles	Richard Scheibe	\$425,937.48	1,943	\$219.22	1,855	\$229.62
12	Fulton	Justin Carver	\$387,458.76	1,658	\$233.69	1,644	\$235.68
13	Columbia	Kevin O'Brien	\$838,893.43	4,524	\$185.43	4,439	\$188.98
14	Moberly	Ray Legg	\$349,679.52	1,825	\$191.61	1,740	\$200.97
15	Sedalia	Kathleen Brown	\$422,800.71	1,861	\$227.19	1,813	\$233.21
16	Kansas City	Joel Elmer	\$2,223,697.10	7,963	\$279.25	7,657	\$290.41
17	Harrisonville	Jeffery Martin	\$604,266.34	2,721	\$222.08	2,494	\$242.29
19	Jefferson City	Jan King	\$327,584.37	2,220	\$147.56	1,459	\$224.53
20	Union	Lisa Preddy	\$396,055.68	1,381	\$286.79	1,349	\$293.59
21	St. Louis County	Laura O'Sullivan	\$1,220,459.12	3,889	\$313.82	3,859	\$316.26
22	St. Louis City	Mary Fox	\$2,017,832.10	6,323	\$319.13	6,020	\$335.19
23	Hillsboro	Tony Manansala	\$439,495.10	1,820	\$241.48	1,880	\$233.77
24	Farmington	Wayne Williams	\$661,982.31	2,123	\$311.81	2,123	\$311.81
25	Rolla	Jahnel Lewis	\$661,485.70	3,459	\$191.24	3,480	\$190.08
26	Lebanon	Karie Comstock	\$521,953.79	1,800	\$289.97	2,344	\$222.68
28	Nevada	Joe Zuzal	\$352,931.96	1,247	\$283.02	1,216	\$290.24
29	Joplin	Darren Wallace	\$1,149,526.55	4,063	\$282.93	4,093	\$280.85
30	Buffalo	Dewayne Perry	\$358,595.54	1,693	\$211.81	1,734	\$206.80
31	Springfield	Rodney Hackathorn	\$1,151,044.21	5,745	\$200.36	5,438	\$211.67
32	Jackson	Christopher Davis	\$748,440.46	2,715	\$275.67	2,694	\$277.82
34	Caruthersville	Brandon Sanchez	\$322,404.73	1,115	\$289.15	1,080	\$298.52
35	Kennett	Catherine Rice	\$301,507.04	1,631	\$184.86	1,638	\$184.07
36	Poplar Bluff	Steven Lynxwiler	\$342,264.46	2,119	\$161.52	2,042	\$167.61
37	West Plains	Donna Anthony	\$316,549.63	1,538	\$205.82	1,446	\$218.91
39	Monett	Clate Baker	\$668,344.88	2,397	\$278.83	2,374	\$281.53
43	Chillicothe	David Miller	\$631,849.77	2,652	\$238.25	2,666	\$237.00
44	Ava	Linda McKinney	\$220,486.04	904	\$243.90	850	\$259.40
45	Troy	Thomas Gabel	\$298,178.17	1,362	\$218.93	1,288	\$231.50

FY 2007 - Commitment Defense Unit Cost Per Case

	Location	Current District Defender	Total Costs For District	FY07 Cases Assigned	Cost Per Assignment	FY07 Cases Disposed	Cost Per Disposition
71	Civil Commitment Unit	Tim Burdick	\$372,449.67	33	\$11,286.35	10	\$37,244.97

FY 2007 - Appellate Division Cost Per Case

	Location	Current District Defender	Total Costs For District	FY07 Cases Assigned	Cost Per Assignment	FY07 Cases Disposed	Cost Per Disposition
50	Columbia Appellate	Ellen Flottman	\$813,969.16	333	\$2,444.35	333	\$2,444.35
51	St. Louis Appellate	Scott Thompson	\$625,521.72	250	\$2,502.09	230	\$2,719.66
52	Kansas City Appellate	Susan Hogan	\$399,860.05	168	\$2,380.12	135	\$2,961.93
67	Appellate/PCR Central A	Steve Harris	\$720,277.67	347	\$2,075.73	345	\$2,087.76
68	Appellate/PCR Eastern B	Renee Robinson	\$439,564.46	258	\$1,703.74	307	\$1,431.81
69	Appellate/PCR Western B	Ruth Sanders	\$242,802.87	171	\$1,419.90	165	\$1,471.53

FY 2007 - Capital Division Cost Per Case

	Location	Current District Defender	Total Costs For District	FY07 Cases Assigned	Cost Per Assignment	FY07 Cases Disposed	Cost Per Disposition
53	Columbia Capital	Jan Zembles	\$757,641.44	9	\$84,182.38	6	\$126,273.57
54	St. Louis Capital	Robert Wolfrum	\$1,293,087.22	11	\$117,553.38	9	\$143,676.36
55	Kansas City Capital	Tom Jackquintot	\$556,753.25	10	\$55,675.33	4	\$139,188.31

Fiscal Year 2009

Legislative Budget Request

Caseload Crisis Continues

Both the Senate Interim Committee on the Public Defender, which issued its report in January, 2007, and the outside consultant retained by the Missouri Bar to conduct an assessment of the Missouri State Public Defender System in October, 2005 have confirmed what Missouri's public defenders have known for some time: Missouri's public defender system is broken. Too many clients for too few lawyers working with too few support staff have resulted in a system that depends on triage to stay afloat. Justice for all no longer applies.

MSPD has done all it can internally to address the crisis

This year, MSPD eliminated its 15-year-old Alternative Sentencing program in order to convert those 8.50 FTE to attorney positions, even though in the long-term, this is not cost-effective to the state as a whole. The alternative sentencing program which began on a federal grant in 1993 was picked up and maintained by General Revenue monies because of its effectiveness in reducing recidivism, which in turn brought significant savings to the state in incarceration costs. However, it was the one 'optional' program MSPD operated and, given the current shortage of attorney staff to handle the caseload, could no longer be supported.

MSPD eliminated two offices devoted to providing services solely to juvenile clients, one each in Kansas City and St. Louis. These offices were created in July 1997 because juvenile law is unique and the needs of juvenile clients very different than those of adult clients. Juvenile dispositional specialists were added to these units to develop specialized treatment plans and placements for these kids in an attempt to change their path before they found themselves in the adult criminal justice system. The juvenile attorneys in these offices served as trainers and advisors to the out-state defender offices in areas with too few juvenile clients to justify a separate juvenile office. The programs were doing good work. However, with the shortage of resources in the rest of the system, the extra resources devoted to juvenile practice could no longer be supported. Those offices were eliminated; the two juvenile dispositional specialist positions were converted to attorney FTE, and the juvenile cases rolled back into the regular caseloads of the existing trial offices in those areas. Those involved in Missouri's juvenile justice system consider this a major step backward and a failure of Missouri's public defender system. They are correct.

There is nothing else MSPD can eliminate, reduce, or change to shore up the system that is on the verge of collapse. Relief must come from outside and it must come soon. If increased FTE is not an option, MSPD must have increased funding available to contract case overload to private counsel.

Assuming a straight line caseload projection with no increase, MSPD will still need to contract one-third of its cases in Fiscal Year 2009 or 28,330 cases. MSPD is staffed to provide attorneys in just two-thirds of the cases eligible for public defender representation. Because contracting cases 'in bulk' rather than case-by-case is likely to produce some cost savings, this budget request estimates an average contract cost of \$500 per case for a total caseload overload contract amount of \$14,165,000 for FY2009 and a Supplemental Request of \$3,541,250 for April—June of 2008.

The modified NAC standards fully explained in the Trial Division Increased Caseload decision item show that current Public Defender caseloads require 450 attorneys. The trial division is staffed at 299 attorneys or approximately two-thirds the modified requirement.

The internal changes made by MSPD to convert more FTE to attorney positions, combined with the increase of \$1.15 million for contracting cases received last year and continuing into FY2009, have assisted with controlling the cost of contracting case overloads. The amount of dollars required to provide FTE with supporting E&E to address the public defender caseloads in both the trial and appellate divisions is shown in alternative decision items – the total amount is \$13,388,434.

FY07 ASSIGNED CASES - Trial Division					
Case Type		Cases	Hours Required for Case Type	FY07 NAC Modified Hours	
15	Murder 1st Degree	135	158.06	21,338.10	
20	Other Homicide	148	129.33	19,140.84	
30D	AB Felony Drug	2,961	10.78	31,919.58	
30F	AB Felony Other	3,363	13.34	44,862.42	
30X	AB Felony Sex	749	31.31	23,451.19	
35D	CD Felony Drug	6,581	10.78	70,943.18	
35F	CD Felony Other	20,462	10.78	220,580.36	
35X	CD Felony Sex	342	10.35	3,539.70	
45M	Misdemeanor	18,985	3.70	70,244.50	
45T	Misdemeanor - Traffic	8,733	3.70	32,312.10	
50N	Juvenile - Non Violent	1,976	8.08	15,966.08	
50S	Juvenile - Status	359	8.08	2,900.72	
50V	Juvenile - Violent	1,027	8.08	8,298.16	
60	552 Release Petitions	38	16.84	639.92	
65F	Probation Violation - Felony	13,721	3.70	50,767.70	
65M	Probation Violation - Misd	5,387	3.70	19,931.90	
75	Special Writ	11	19.17	210.87	
80	Appeal - Misdemeanor	8	56.17	449.36	
82	Appeal - Other	9	5.25	47.25	
Totals		84,995			
			Case Hours	637,543.93	
			Travel Hours	27,959.00	
			Management Hours	33,030.00	
			Total Hours	698,532.93	
		Attorneys Required (68,532/1552)		450.09	
		Number of Current TD Attorneys		299.00	
		Number Needed		151.09	
2,080	Standard Work Hours				
-270	Sick, Annual, Military, FMLA, Holiday				
-15	Training				
-243	Non Case Related Hours				
1,552	Available Attorney Case Hours				
		Total # of Attorneys Required		450	100.00%
		Current # of Attorneys		299	66.44%
		Need		151	33.56%

Retention Crisis - Assistant Public Defenders I, II, III and IV

Attorney Salary Increases— Over the last seven years, MSPD has experienced the equivalent of 130.54% turnover in its attorney staff, averaging a 18.65% turnover each year. In FY2007, repositioning adjustment increases were given to MSPD attorneys to try to stem the flow, but the problem is far from solved. Staggering student debt make it impossible for even those called to public interest work to work for MSPD, make their loan payments, and provide for themselves and their families. Many MSPD attorneys hold second jobs—delivering pizzas, working in retail, bartending, truck driving , etc.—trying to make ends meet. This reality makes it very hard to hold a group of employees who can walk into the private sector and make twice their MSPD salary.

The inability of the State Public Defender to recruit and retain attorneys compromises the quality of justice and efficiency of Missouri's criminal justice system. In addition to being unable to hire new graduates, experienced assistant public defenders at all levels are leaving the Department for the private sector and other better paying government attorney jobs, including jobs in prosecuting attorney offices.

Exit and employment interviews repeatedly reveal low pay and high caseloads as the reasons candidates do not choose to be employed, or remain employed, by the State Public Defender.

These vacancies are slowing the judicial process and reducing the disposition rate of cases. The State Public Defender continues to be able to dispose of less cases than those assigned. The FY07 cumulative backlog of more 30,532 cases is directly attributed to a shortage of experienced attorneys to handle them.

Fiscal Year 2007 attorney rate is 14.39%. We believe that the attorney repositioning adjustments funded in Fiscal Year 2007 are the reason for decreased turnover in FY2007. The adjustments made were critical to reducing the rate of turnover, but they were only the first step in solving a problem that has taken years to reach its current level.

This decision item will increase assistant public defender salaries at all levels. As recruitment and retention of attorneys improves, vacancies will be reduced. The more experienced assistant public defenders will handle more cases, thereby reducing the backlog of cases and speed the administration of criminal justice.

The most experienced assistant public defenders, APD IVs, handle more and the most serious and complex cases. These are the lawyers who not only handle the most complex cases with the greatest consequences, they are also the mentors and trainers for the revolving door of new hires that join MSPD. The retention of experienced attorneys to fill that critical role will have a direct impact on the turnover rate of those less-experienced attorneys, many of whom cited the lack of mentoring or adequate supervision by experienced attorneys as they found themselves assigned to more and more complex matters as a key reason in their decision to leave state service. This adjustment will also recognize the vital role Missouri's APD IVs play in Missouri's criminal justice system. Although they average over seven years of criminal law experience and handle nearly all Missouri's most difficult and complex cases, current APD IV salaries do not even match the average entry level salaries of new Missouri lawyers in the private sector.

Public Defender Caseload Assigned vs. Disposed

<i>Fiscal Year</i>	<i>Assigned</i>	<i>Disposed</i>	<i>Net Difference</i>
2000	75,738	69,591	6,147
2001	76,786	73,438	3,348
2002	82,206	77,165	5,041
2003	85,908	81,059	4,849
2004	88,916	86,356	2,560
2005	88,131	87,180	951
2006	88,532	83,260	5,272
2007	87,497	85,133	2,364
	673,714	643,182	30,532

Attorneys Leaving Public Defender System

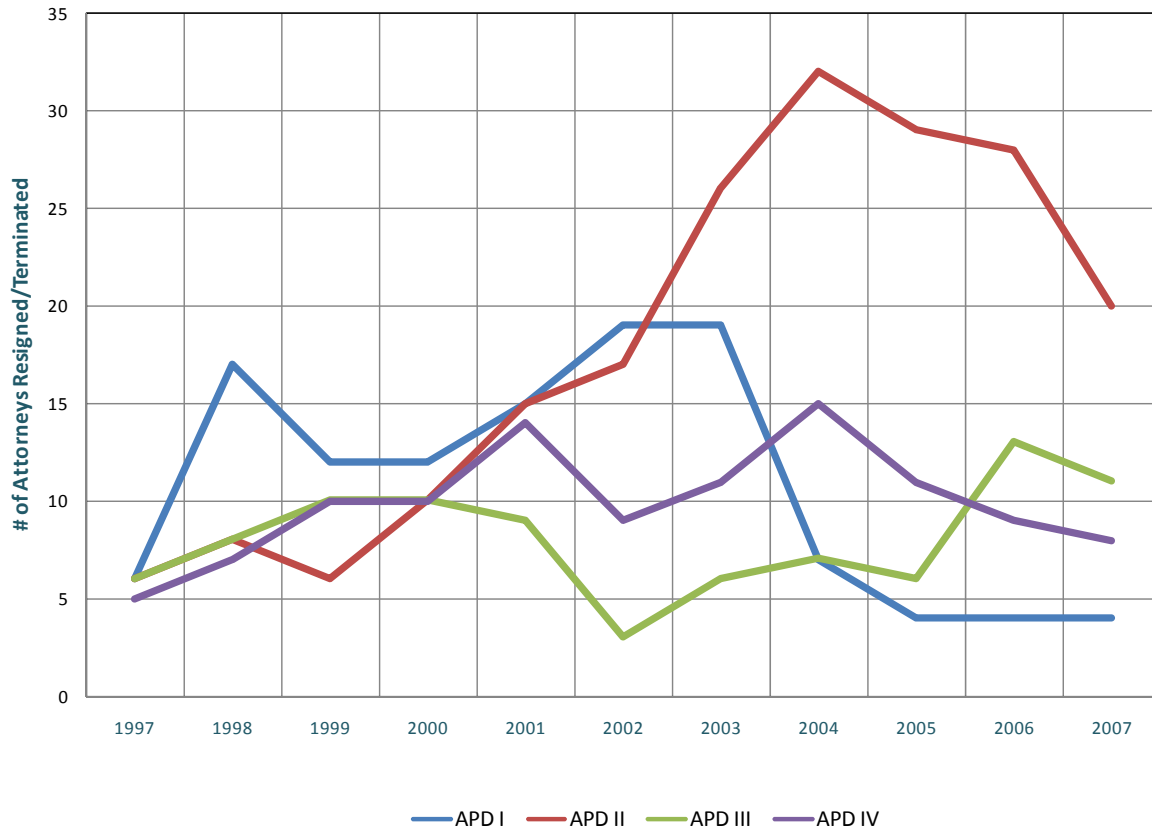


Cost of Attorney Turnover

Class Code	Description	FY07 Salary Paid	Cost of Turnover
0400	Assistant Public Defenders	\$13,769,361	\$3,442,340
0460	District Defenders	\$2,710,418	\$677,605
			\$4,119,945

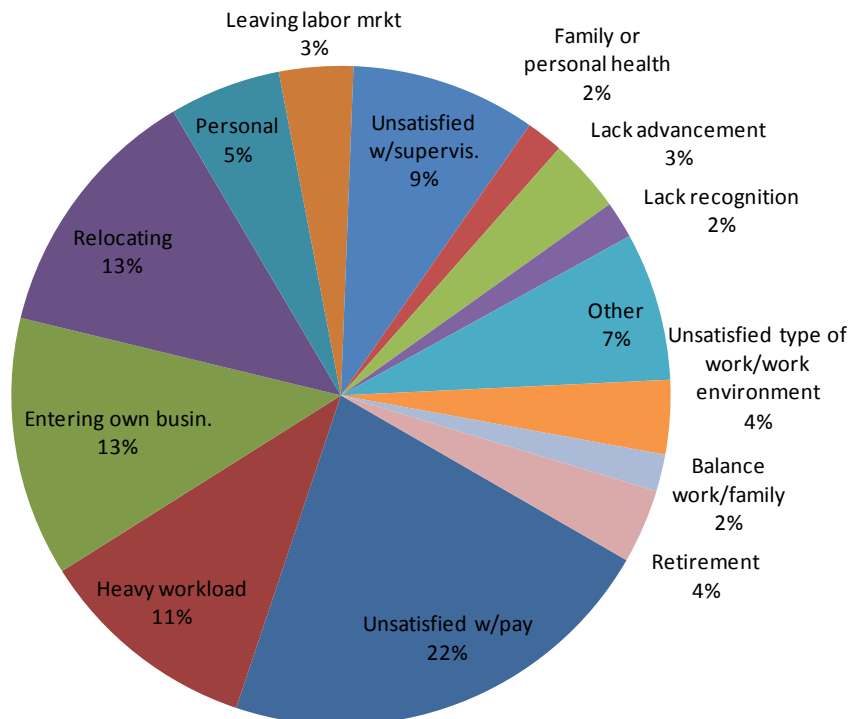
*Per the Personnel Advisory Board
Turnover Costs 25% of the Salary of the Positions

Attorney Turnover Statistics By Fiscal Year & Classification



Attorney: Primary Reason For Leaving

Exit Interview Tracking: February 2005 - Present



In March 2006 at the Request of Senator Chuck Gross, the Personnel Advisory Board reviewed the salaries of the Missouri State Public Defender's Assistant Public Defenders. Included in the report was a comparison of these salaries with similar Public Defender salaries in other states. The salaries of Missouri's Public Defenders have been updated to reflect the Fiscal Year 2008 salary increases. The comparative salaries for the surrounding states are at the 2006 levels.

The FY2008 starting salary of the MSPD APD I \$36,204 is still 6.53% less than the **2006** starting salary of an Assistant Public Defender I in other states, \$38,732. To assist with equalizing this difference, the starting salary of an APD I should go to \$39,036. (Range 24, Step K)

The FY2008 average salary of the MSPD APD II \$43,943 is still 13.35% less than the **2006** average salary of an Assistant Public Defender II in other states, \$50,430. To assist with equalizing this difference, the salary of an APD II should go to \$50,676. (Range 27, Step S)

The FY2008 average salary of the MSPD APD III \$48,434 is still 12.16% less than the **2006** average salary of an Assistant Public Defender III in other states, \$55,137. To assist with equalizing this difference, the salary of an APD III should go to \$56,184. (Range 30, Step R)

The FY2008 average salary of the MSPD APD IV \$62,206 is still 4.52% less than the **2006** average salary of an Assistant Public Defender IV in other states, \$65,150. To assist with equalizing this difference, the salary of an APD IV should go to \$65,124. (Range 36, Step M)

Assistant Public Defenders I, II, III and IV

Job Title	# of FTE	FY08 Salary	Proposed Salary	Annual Increase	Cost of Adjustment
Assistant Public Defender I	40.33	\$36,204	\$38,400	\$2,196	\$88,565
Assistant Public Defender II	81.00	\$43,943	\$48,920	\$4,977	\$403,137
Assistant Public Defender III	63.00	\$48,434	\$53,717	\$5,283	\$332,829
Assistant Public Defender IV	119.50	\$62,206	\$65,124	\$2,918	\$348,701
	303.83				\$1,173,232

Attorney Salary Increases - District Defenders

Public defenders and prosecuting attorneys face one another in every courtroom of this state. They are required to have the same education and to bring the same skills to the job. The heads of both offices are responsible for the same management responsibilities -- supervising attorneys and support staff, overseeing their respective budgets, and serving as spokesperson for their offices in issue concerning the administration of justice within their counties of responsibility, usually while also carrying a criminal caseload of their own. They are, in all respects, equal players in the criminal justice system -- in all respects, that is, except in terms of salary.

It is true that prosecuting attorneys are county, rather than state-funded, but it is the state which has set by statute what counties shall pay their full-time prosecuting attorney should they choose to have one. A \$36,000 disparity between what the state mandates counties pay the head of their prosecutor's office and what the state in turn pays the head of the counterpart defender office for what is in all essential respects the same work is both staggering and unjustifiable.

It is also true that a small number of counties still retain a part-time prosecutor who maintains a private civil practice on the side. However, every District Public Defender position is full-time because public defender offices cover multiple counties, ensuring more than enough work to sustain full-time defenders even in counties with only part-time prosecutors. And unlike prosecutors, the District Public Defender is prohibited from engaging in any other practice of law to supplement the salary s/he receives from the state. [RSMo. 600.021.2, Public Defenders "*shall not otherwise engage in the practice of law*"]. Neither Chapter 600 nor Public Defender Commission rule allows public defenders to maintain a private law practice.

This decision item will fund District Defender salaries, making them equal to that of a full-time prosecutor.

Assistant District Defender & District Defenders Parity with Prosecutors

Job Title	# of FTE	FY08 Salary	Proposed Salary	Annual Increase	Cost of Adjustment
Assistant District Defender	5.00	\$66,255	\$80,000	\$13,745	\$68,725
District Defender	44.00	\$69,501	\$106,181	\$36,680	\$1,613,920
	49.00				\$1,682,645

Case Activity

In addition to the number of cases, the disposition of those cases once in the court system has a dramatic impact on the workload of Missouri's Public Defenders. Although the smallest in number, cases going to trial place the highest demand on an attorney's time. Several hours of pretrial preparation, hearings and motions are required for each hour actually spent in trial. Many cases do not require a trial for disposition but are disposed of only after a court hearing before the judge. These cases can include juvenile hearings, probation revocation hearings and preliminary and motion hearings which also require considerable research and preparation before the actual court appearance.

Other dispositions, such as guilty pleas, dismissals and withdrawals, also place a crushing time burden on Missouri's Public Defenders. Some individual cases may require very little attorney time before the case is disposed of by plea or other disposition, while others require considerable preparation, investigation and negotiation before the case can be disposed of by plea or dismissal. In either event, the sheer volume of cases places an extreme demand on the time of Missouri Public Defenders and support staff.

FY2007 - Trial Division Closed Cases By Disposition Type		
	Description	# of Cases
01	Withdrawn	6,435
02	Dismissed/Withdrawn	12,521
03	NGRI	22
04	Guilty Plea	39,487
05	Court Trial	414
06	Jury Trial	401
10	Juvenile Hearing	949
11	Certification Hearing	42
12	Juvenile Informal Hearing	333
15	PCR No Hearing	1
16	PCR Hearing	2
20	Chapter 552	25
25	Probation Violation Hearing	16,477
30	Preliminary Writ Granted	4
32	Preliminary Writ Denied	3
35	Appeal Decision	10
41	Conflict Transfer	3,062
42	Conflict Assignment	853
50	Capias Warrant > than 1 year	1,260
60	Missouri Bar Volunteer Program	70
00	Unknown	<u>306</u>
	Total Trial Division Closed Cases	82,677

CASELOAD STANDARD OPTIONS

In December of 2000, the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, published the “*Compendium of Standards for Indigent Defense Systems*”. The *Compendium* brings together standards from a wide variety of sources. It shows the different ways in which practice and procedures are addressed. It also addresses: administration of defense systems, attorney performance, capital case representation, appellate services, and juvenile justice defense. Also included in this Compendium is the Department of Justice’s National Advisory Commission on Criminal Justice Standards and Goals report setting out the **maximum recommended caseloads for public defenders**.

NAC Standard 13.12. Workload of Public Defenders

The caseload of a public defender office should not exceed the following:

Caseload of attorneys per year:

Non-Capital Homicides—12 cases or 1 new case per month

Felonies—Not more than 150 or 12.5 new cases per month

Misdemeanors—Not more than 400 or 33 new cases per month

Juvenile Cases—not more than 200 or 17 new cases per month

Appeals—not more than 25 or 2 new cases per month

This standard has been widely used throughout the nation and was cited by the ABA in its May, 2006 ethics opinion as a useful starting place in evaluating attorney workload. The American Bar Association opinion went on to note, “**Although [National] standards may be considered, they are not the sole factor in determining if a workload is excessive. Such a determination depends not only on the number of cases, but also on such factors as case complexity, the availability of support services, the lawyer’s experience and ability, and the lawyer’s nonrepresentational duties.**” ABA Formal Opinion 06-441, p 4. [Emphasis added.]

In the summer of 2006, MSPD obtained bids from several outside organizations to conduct a workload study specific to Missouri public defender practice. Such a study would take into account all of the factors described in the ABA opinion and definitively determine the average number of cases a Missouri public defender could be expected to handle before effectiveness became constitutionally compromised. The bids obtained for such a study ranged from just under \$40,000 for the MU Institute of Public Policy, which had no previous experience evaluating defender workloads, up to \$135,000 for the National Center for State Courts, which has conducted a number of defender and court workload studies around the country. Consultation at that time with Senate Leadership and members of the 2006 Senate Interim Committee on the Public Defender, produced a recommendation that MSPD simply utilize the already-existing national caseload standard rather than expend additional state

funds to conduct an outside study. MSPD complied with that recommendation, discontinued its plans for an outside caseload study and relied upon the NAC caseload standards to identify its staffing needs in the FY2008 budget request filed in October 2006.

This was a change from years past when MSPD had based its staffing request on what is now referred to as the Ashcroft Standard, which assumed that each attorney could effectively handle a total of 235 cases per year. This standard was used to allocate staffing to MSPD by the administration of Missouri Governor John Ashcroft in the early 1990s. However, the Ashcroft standard, which was itself a modification of the NAC standard, also failed to account for the different time required to handle different types of cases or for attorney time taken up by necessary travel, leave, or non-case-related administrative or supervisory tasks. For purposes of comparison, MSPD's current staffing needs utilizing both the original NAC standard and the Ashcroft standard are set out and discussed in further detail at the end of this decision item.

During the fall of 2006, MSPD decided to undertake its own *internal* workload study, patterned after workload studies conducted in other jurisdictions by the National Center for State Courts. As part of this study, every staff member in the Trial Division was required to track his/her time in 15 minute increments, documenting both task and the type of case for which the task was being completed, as well as recording all non-case-related activities within certain pre-defined categories.

The time-keeping component only documented the time lawyers are currently able to spend on each case type given their existing case overloads and support staff shortages. An important second step in all workload studies of this type is determining what is not being done on those cases that should be done by a competent attorney complying with all his/her ethical and professional obligations. The hours necessary to competently complete those additional tasks which are now falling through the cracks due to case overload must then be added into a final workload standard for each case type in order to avoid institutionalizing case overload in the final workload standard. The analysis of that data is still ongoing at this time and will be reflected in further modifications of the NAC standard in future budget requests.

That workload study is still ongoing, but the performance-based data which has already been obtained has revealed that several of the NAC caseload standards are not accurate when applied to Missouri practice. The NAC standards treat all felony cases as requiring an average of 10 attorney hours per case but the internal workload study revealed that MSPD lawyers are averaging significantly more than that -- 31 hours per case -- on sex offense cases.

The workload standard utilized in this budget request, therefore, uses the NAC standards as its foundation, but modifies those standards where they conflict with our internal performance-based data based on Missouri practice. The other major modification involves the issue recognized in the ABA opinion that public defenders are not able to spend every moment on the job actually working only on cases. Attorney time must also be spent on su-

pervisory and training tasks, on the road traveling to and from court appearances and jail visits in offices that cover more than one county, and handling essential, but not directly case-related, administrative and clerical tasks, especially in offices with a shortage of support staff. All of these are factors that impact the time lawyers have available to spend preparing their cases. The workload formula utilized in this budget request therefore follows the ABA recommendation that these factors be built into any workload standard used for determining the staffing needs of a defender office.

The process of analysis used to reach the standard utilized to determine staffing needs in this budget request is set out below:

Case Weights = Hours per Case

1). Measuring case *hours*, rather than case *numbers*, allows us to account for the fact that more complicated cases require more time to handle, as well as more easily add into the equation attorney hours necessary for non-case-related tasks. The caseload numbers of the NAC standard were therefore first converted to hours per case type. This was done by dividing the maximum number of cases an attorney can handle in each case type per year by the number of available attorney case hours per year. The number of total MSPD attorney hours per year is 2080. To determine how many of those hours are available for handling cases requires deducting hours used on leave, training time, and essential, but non-case-related, administrative work. (See discussion at the end of this decision item for additional explanation of the factors impacting the number of available case hours per attorney.) That calculation leaves us with an average of 1552 available attorney case hours per attorney per year and it is this number that is utilized in converting the NAC case numbers to case hours.

2) As discussed earlier, the NAC standards do not distinguish between types of felony offenses. However, MSPD's internal workload study did make that distinction with significant results. (See Appendix B re MSPD Internal Workload Study) MSPD's modified NAC standard therefore separates out the substantially more complex felony sex offense cases into a category of their own and uses an "other felony offenses" category for all other felonies. Since the internal workload study showed that MSPD attorneys are currently, even with their existing case overloads, spending an average of 31 hours per case on sex offense cases, that number was used in lieu of the NAC 10 hours per case for general felony cases.

3) The NAC standards do not address probation violation cases. MSPD's modified standard has assigned each of those cases the same weight as a misdemeanor case for purposes of caseload standards to determine staffing needs.

4) The NAC standards do not address post-conviction cases. There are two kinds of post-conviction litigation in Missouri: cases that involve a challenge to the fairness of a trial proceeding (Rule 29.15 cases) and cases that involve a challenge to a guilty plea (Rule 24.035 cases). MSPD's modified standard treats Rule 29.15 cases the same as an appeal under the NAC standard, while Rule 24.035 cases are assigned a case weight of $\frac{1}{4}$ that of an appeal because they are generally much simpler and less time-consuming matters.

Non-capital Homicides	134 hours per case
Sex Offenses	31 hours per case
Other Felony Offenses	10 hours per case
Misdemeanors	4 hours per case
Juvenile Cases	8 hours per case
Appeals	62 hours per case
29.15 Cases	62 hours per case
24.035 Cases	15.5 hours per case
Probation Violations	4 hours per case

The actual number of new cases assigned to the State Public Defender's Trial Division was **84,995** in Fiscal Year 2007. Using the modified NAC standards shown above the required number of trial division attorneys to effectively provide representation is 450. The trial division currently has 299 attorney FTE allocated. Therefore, this decision item requests the 151 additional attorneys to staff the trial division at the modified NAC recommended staffing levels.

CALCULATION OF AVAILABLE MSPD ATTORNEY HOURS PER YEAR

MSPD's calculation of 1552 available attorney hours per year was developed as follows: There are 2080 work hours in a year, using a 40 hour week for 52 weeks. This was the starting point.

40 Hour Week: It is true that many attorneys work more than 40 hours per week, as do many of our public defenders. However, attorneys in private practice expect to be compensated in return for the extra hours they work -- if not through additional billable hour fees, by a salary commensurate with the number of hours they are expected to put in. MSPD does not have the funds to pay its attorneys for the extra hours they work nor do public defender salaries come close to market prices for the legal profession. Under those circumstances, MSPD's only hope of retaining highly qualified attorneys is to offer a more reasonable work schedule than they would likely have at those higher salaried positions. For that reason, MSPD uses the standard work week for all other state employees in determining a reasonable caseload.

Leave: The time lawyers have to work on cases is reduced by the time spent on leave MSPD is required by state and federal law to provide its attorneys -- holiday, annual, medical, unpaid FMLA, and military leave. MSPD timesheets indicate that hours worked after these leave amounts have been deducted come to about 86.63 (rounded up to 87)% of

attorney hours annually. This reduces the available work hours per attorney by 270 to 1810 hours.

Training: All attorneys are required to have 15 hours of continuing legal education per year. That reduces the available work hours per attorney to 1795 per year.

Non-Case Related / Administrative Tasks: The average attorney time spent in these tasks, as determined by the internal workload study described below, was also deducted from the available attorney work hours, resulting in a final number of 1552 available attorney hours per year. As the ABA Ethical Advisory Opinion recognized, every attorney also has non-case-related responsibilities that take up time which has to be considered when defining a reasonable attorney caseload. The MSPD caseload standard takes these types of hours into account in two different ways:

- 1) General administrative tasks that are fairly consistent across offices are taken into account up front, by deducting those hours from the base available attorney hours per year.
- 2) The average amount of attorney time spent in travel varies with the location and coverage area of the office.
- 3) The amount of time needed for management and administrative tasks varies with the size of the office and the number of people to be supervised. Applying the same management to employee ratio to each office is accomplished by deducting from the total attorney FTE available to handle the caseload, the appropriate percentage of that FTE necessary for effective management of the office.

These calculations presume no reduction or increase in MSPD caseload. If the legislature should decide to adopt some of the ideas previously explored by the Senate Interim Committee concerning reclassifying traffic or largely collections type cases as infractions to eliminate the constitutional requirement of counsel or if the legislature should decide to move to a system where all misdemeanor cases are handled by private attorney appointments, these numbers would go down accordingly.

FY07 ASSIGNED CASES - Trial Division				
Case Type		Cases	Hours Required for Case Type	FY07 NAC Modified Hours
15	Murder 1st Degree	135	158.06	21,338.10
20	Other Homicide	148	129.33	19,140.84
30D	AB Felony Drug	2,961	10.78	31,919.58
30F	AB Felony Other	3,363	13.34	44,862.42
30X	AB Felony Sex	749	31.31	23,451.19
35D	CD Felony Drug	6,581	10.78	70,943.18
35F	CD Felony Other	20,462	10.78	220,580.36
35X	CD Felony Sex	342	10.35	3,539.70
45M	Misdemeanor	18,985	3.70	70,244.50
45T	Misdemeanor - Traffic	8,733	3.70	32,312.10
50N	Juvenile - Non Violent	1,976	8.08	15,966.08
50S	Juvenile - Status	359	8.08	2,900.72
50V	Juvenile - Violent	1,027	8.08	8,298.16
60	552 Release Petitions	38	16.84	639.92
65F	Probation Violation - Felony	13,721	3.70	50,767.70
65M	Probation Violation - Misd	5,387	3.70	19,931.90
75	Special Writ	11	19.17	210.87
80	Appeal - Misdemeanor	8	56.17	449.36
82	Appeal - Other	9	5.25	47.25
	Totals	84,995		
			Case Hours	637,543.93
			Travel Hours	27,959.00
			Management Hours	33,030.00
			Total Hours	698,532.93
			Attorneys Required (68,532/1552)	450.09
			Number of Current TD Attorneys	299.00
2,080	Standard Work Hours		Number Needed	151.09
-270	Sick, Annual, Military, FMLA, Holiday			
-15	Training		Total # of Attorneys Required	450
-243	Non Case Related Hours		Current # of Attorneys	299
1,552	Available Attorney Case Hours		Need*	151

* Does not include CDU

Trial Division Compliance With Modified NAC Standards

Cost Breakdown

Personal Service

151.00	Assistant Public Defender III - Range 30 at Range 15	\$47,676	\$7,199,076
50.00	Paralegal/Investigators (1 to every 3 attorneys)	\$27,768	\$1,388,400
30.00	Clerk III - Range 12 (1 to every 5 attorneys)	\$23,100	<u>\$693,000</u>
	Total Personal Service		\$9,280,476

Expense & Equipment

One-time Purchases

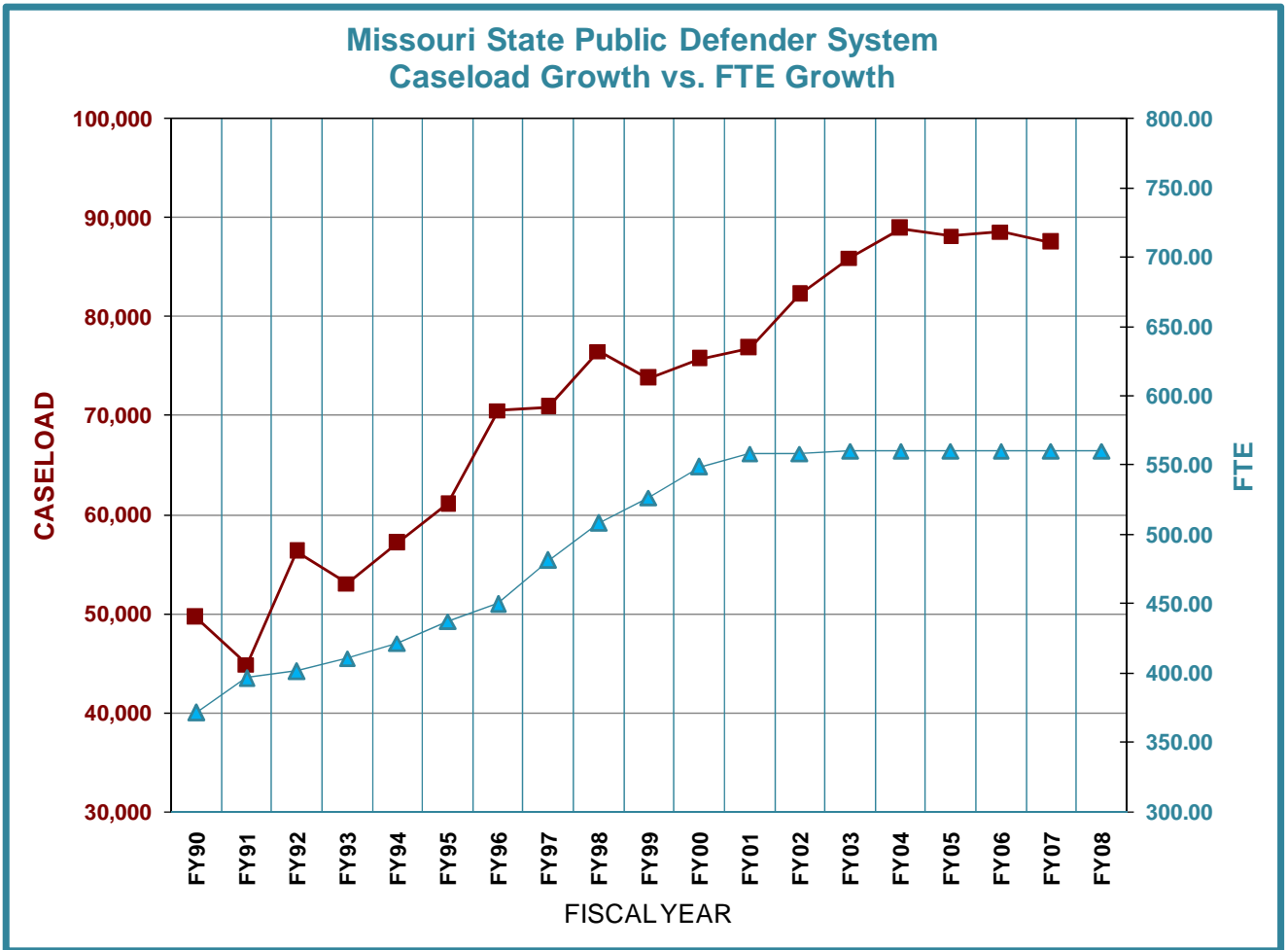
151	Attorney Package	\$4,750	\$717,250
50	Paralegal/Investigator Package	\$4,865	\$243,250
30	Secretarial Package	\$10,700	<u>\$321,000</u>
	Total One-Time Purchases		\$1,281,500

On-Going Costs

151.00	Attorneys	\$9,750	\$1,472,250
50.00	Paralegal/Investigators	\$9,425	\$471,250
30.00	Secretaries	\$4,050	<u>\$121,500</u>
	Total Personnel Related On-Going Costs		\$2,065,000

Total Expense and Equipment \$3,346,500

Total Decision Item Request \$12,626,976



This decision item is one method of appropriately staffing and funding the Public Defender System. Page 29 provides another alternative and decision item. The two decision items are mutually exclusive but could be combined and re-configured.

Caseload Increase—Appellate Division

Our Budget Request for last year, FY2008, utilized the NAC standards to determine the number of appellate attorneys required. If additional, better information had not been collected regarding attorney time and workloads and MSPD had requested attorneys for FY2009 based solely the NAC standards, the total number of additional appellate attorneys requested would have been 7.50

The actual new cases assigned to the State Public Defender's Appellate Division was **1,527** in Fiscal Year 2007. Using the NAC standards shown above the required number of appellate division attorneys to effectively provide representation is 42. The appellate division currently has 36.50 attorney FTE allocated. Therefore, this decision item requests the 5.75 additional attorneys to staff the appellate division at the NAC recommended levels.

NAC/ABA Standard to FY2007 Appellate Division Caseload				
	Description	Cases Opened	NAC/ABA Standard	Number of Attorneys
	Death Penalty PCR	4	6	1
	Felony Appeals	361	25	14
	PCR Appeals	352	25	14
	PCR 24.035	534	150	4
	PCR 29.15	233	25	9
	Other	43	25	2
		1,527		
				43.79
	FY2008 - Public Defender Appellate Division Attorneys			<u>36.50</u>
	Number of Additional Attorneys Required to meet Standard			7.29

FY07 ASSIGNED - Appellate Division

Case Type	Cases	Hours Required for Case Type	Adjusted Hours
Death Penalty PCR	4		0.00
Felony Appeals	361	73.00	26,353.00
PCR Appeals			
29.15	208	55.00	11,440.00
24.035	144	18.00	2,592.00
PCR Trials			
29.15	233	55.00	12,815.00
24.035	534	18.00	9,612.00
Other	43		0.00
Total	1,527	Case Hour	62,812.00
		Travel Hours	1,841.00
		Management Hours	<u>4,098.00</u>
		Total Hours	68,751.00
2,080.00 Standard Work Hours		Hours/1552 = # of Attorneys Needed	44.30
-270.00 Sick, Annual, Military, FMLA		Current Appellate Attorneys	<u>36.50</u>
-15.00 Training		# of Appellate Attorneys - Requested	7.80
<u>-243.00</u> Non Case Related Hours		Death Penalty PCR	<u>1.33</u> *
1,552.00		Total Requested	9.13

* Death Penalty PCR's (4 cases * 2 attorneys/6 cases per year)

Appellate Division Compliance With Adjusted NAC Standards

Cost Breakdown

Personal Service

9.00	Assistant Public Defender III - Range 30	\$47,676	\$429,084
3.00	Paralegal/Investigator - Range 18 (1 to every 3 attorneys)	\$27,768	\$83,304
2.00	Clerk III - Range 12 (1 to every 5 attorneys)	\$23,100	<u>\$46,200</u>
	Total Personal Service		\$558,588

Expense & Equipment

One-time Purchases

9	Attorney Package	\$4,750	\$42,750
3	Paralegal/Investigator Package	\$4,865	\$14,595
2	Secretaries 21 * \$10,700	\$10,700	<u>\$21,400</u>
	Total One-Time Purchases		\$78,745

On-Going Costs

9.00	Attorneys	\$9,750	\$87,750
3.00	Paralegal/Investigators	\$9,425	\$28,275
2.00	Secretaries	\$4,050	<u>\$8,100</u>
	Total Personnel Related On-Going Costs		\$124,125

Total Expense and Equipment \$202,870

Total Decision Item Request \$761,458

Caseload Crisis—Trial Division– Legal Assistant Alternative

Since 1990, the caseload of the trial division of the public defender system has grown rapidly due to a number of reasons: legislation enacting new crimes and increased penalties on existing crimes, aggressive prosecution, the number of counties moving to full time prosecutors, drug cases, etc.

Many cases are administrative matters that can be worked up and partially handled by supervised legal assistants and paralegals. In addition, many cases consist mainly of sentencing negotiations and a search for alternatives to incarceration. This task could be more economically handled by legal assistants. The additional staff would not eliminate the need for attorneys, but the number of attorneys could be reduced by some percentage. Examples of these cases include traffic, criminal non-support, passing bad checks and failure to return rental property and some first time offenses. In Fiscal Year 2007 the Trial Division provided representation in 18,130 of these cases.

Using the same National Advisory Commission on Criminal Justice Standards (NAC) for support staff as for attorneys, support staff could manage 400 Misdemeanor cases per staff person per year. The result is 45 additional legal assistants, paralegal/investigators and paralegals. The ratio would be 1 paralegal investigator to every 3 legal assistants.

This option would save the cost of some of the attorney salaries vs. the cost of support staff.

Cases Prepared by Legal Assistants		
Charge Code	Charge	FY07 Caseload
301.120	Failure to Register	306
301.130	Failure to Display Valid Plates	203
301.140	Displaying Plates of Another	96
302.020	Operating w/o a Valid License	665
302.321	Driving while Suspended or Revoked	6,457
303.024	Failure to Provide Proof of Insurance	22
303.025	Operating w/o Proof of Financial Responsibility	643
304.010	Speeding	361
304.012	Careless and Imprudent Driving	326
304.015	Failure to Drive on Right Side of Road	297
307.178	Seat Belt Violation	103
	Other Traffic	389
568.040	Criminal Non-Support	4,204
570.120	Passing Bad Checks	3,877
578.150	Failure to Return Rental Property	181
	Total FY07 Administrative Caseload	18,130

CURRENT MSPD SUPPORT STAFF RATIOS TRIAL DIVISION STAFF TO ATTORNEY RATIO

Our current Trial Division support staff to attorney ratio statewide is as follows:

- ♦ 1 investigator for every 6.73 attorneys
- ♦ 1 secretary for every 4.82 attorneys
- ♦ 1 legal assistant for every 9.18 attorneys
- ♦ 1 paralegal for every 60.60 attorneys

This is a statewide *average* and not a reality in every office. Since every office requires at least one secretary even if it only has 2-3 attorneys, other offices make do with 1 secretary and 1 investigator for as many as 8 attorneys and no legal assistant. Nine of our Trial Division offices do not have any legal assistants and only 4 have a paralegal position.

TRIAL DIVISION STAFF TO CASELOAD RATIO

In the Trial Division, staff to caseload may actually be a better measure of true need than staff to attorney positions. Using that measure, in FY07 the Trial Division had:

- ♦ 1 investigator / paralegal for every 1,889 cases
- ♦ 1 secretary for every 1,355 case files
- ♦ 1 legal assistant for every 2,576 cases
- ♦ 1 paralegal for every 16,999 cases

Again, this is a statewide *average* and not a reality in every office. Using the FY07 280 cases per year per attorney average, in those offices which have only one secretary and one investigator for 8 attorneys, that investigator is responsible for investigating 1,889 cases annually while the secretary is responsible for providing all clerical and phone support for the same number of cases and clients.

As quoted in the Department of Justice's Compendium of Standards for Indigent Defense Services:

Indiana has the following support staff ratios: (E21)

Felony paralegals, investigators and secretaries = 1 for every 4 attorneys

Washington (state) has the following support staff ratios; (E24-25)

1 full-time secretary for every four staff attorneys (though fewer secretaries may be acceptable if there are other clerical workers or overload secretarial staff available.)

Legal Assistant Alternative

Cost Breakdown

Personal Service

34.00	Legal Assistants at Range 15	\$25,188	\$856,392
5.50	Paralegal/Investigators at Range 23	\$33,636	\$184,998
5.50	Paralegals at Range 33	\$33,636	<u>\$184,998</u>
	Total Personal Service		\$1,226,388

Expense & Equipment

One-time Purchases

34	Legal Assistant Package	\$4,865	\$165,410
6	Paralegal/Investigator Package	\$4,865	\$29,190
6	Paralegal Package	\$10,700	<u>\$64,200</u>
	Total One-Time Purchases		\$258,800

On-Going Costs

34.00	Legal Assistants	\$9,750	\$331,500
5.50	Paralegal/Investigators	\$9,425	\$51,838
5.50	Paralegals	\$9,425	<u>\$51,838</u>
	Total Personnel Related On-Going Costs		\$435,175

Total Expense and Equipment \$693,975

Total Decision Item Request \$1,920,363

Student Loan Relief

There is a recruitment crisis as to assistant public defenders in the State of Missouri. Because of the inability to recruit new assistant public defenders, new positions created because of expanding caseloads, as well as vacant positions created by turnover, remain unfilled for extended periods of time. Vacant positions, particularly in rural public defender offices often remain open for periods of six months or more.

These vacancies are slowing the judicial process and reducing the disposition rate of cases. The State Public Defender continues to be able to dispose of less cases than those assigned. The FY07 cumulative backlog of more 30,532 cases is directly attributed to a shortage of experienced attorneys to handle them.

Through turnover, the Office of the State Public Defender has openings for approximately 60 attorneys each year. However, often these openings remain unfilled for a period of time because of the inability to recruit.

Public Defender Caseload Assigned vs. Disposed	<i>Fiscal Year</i>	<i>Assigned</i>	<i>Disposed</i>	<i>Net Difference</i>
	2000	75,738	69,591	6,147
	2001	76,786	73,438	3,348
	2002	82,206	77,165	5,041
	2003	85,908	81,059	4,849
	2004	88,916	86,356	2,560
	2005	88,131	87,180	951
	2006	88,532	83,260	5,272
	2007	87,497	85,133	2,364
		673,714	643,182	30,532

Most new attorneys hired by the Office of State Public Defender are recent law school graduates. Nearly all those graduates have considerable student loan debt upon graduation. A recent survey indicates most law school graduates hired by the State Public Defender have law school debt of \$50,000 - \$100,000. Approximately five percent had debt in excess of \$100,000. Interviews with prospective candidates indicate that, although some students would prefer public service as public defenders, they simply cannot afford to with the entry level salary and the heavy student loan debt.

Assistant public defenders with at least \$300 per month in student loan debt would receive up to \$300.00 per month during their service as assistant public defenders, so long as they perform satisfactorily as public defenders and are not in default on any student loan debt. Increased recruitment and reduced vacancies will speed the disposition of criminal cases and increase the public defender caseload disposition rate.

Cost Detail

60% of 359.50 attorneys = 215 attorneys * \$300 per month * 12 months

\$774.000

Office Space Requirements

When the Missouri State Public Defender System was established, the burden and expense of office space and utility services for local public defender offices was placed on the counties served by that office. That burden remains today in the form of RSMo. 600.040.1 which reads:

The city or county shall provide office space and utility services, other than telephone service, for the circuit or regional public defender and his personnel. If there is more than one county in a circuit or region, each county shall contribute, on the basis of population, its pro rata share of the costs of office space and utility services, other than telephone service. The state shall pay, within the limits of the appropriation therefore, all other expenses and costs of the state public defender system authorized under this chapter.

Some county governments have objected to and resent being required to pay for office space for a Department of State Government.

When the Missouri State Public Defender System was first established and RSMo. 600.040.1 was first enacted, public defender services in most areas of the state were provided through private attorneys who had contracted with Missouri's Public Defender System to provide such services. Since these private contract counsel provided services from their private offices, county governments did not have to provide office space and utilities.

In 1997, the legislature responded to the refusal of some counties to provide or pay for Public Defender office space. Language was added to House Bill 5, allowing for the interception of prisoner per diem payments to counties failing to meet their obligations under 600.040. The state has intercepted some money intended for counties that scoffed at their obligation, however, the interceptions and threat of interceptions have put great strain on state-county relations.

In 1999, the legislature once again addressed the problem of providing Public Defender office space. A new section, (RSMo. 600.101), was added which allows disputes between counties and the State Public Defender to be submitted to the Judicial Finance Commission (RSMo. 477.600). Section 600.101 also calls for a study and report from the Judicial Resources Commission to be prepared for the chairs of the House and Senate Judiciary Committees, Senate Appropriations Committee, and House Budget Committee.

Today, some county governments provide public defender office space in county courthouses or other county facilities, some counties rent office space and pay their pro rata share of that rent as required by statute. Some counties, strapped for office space for their own county officials, provide woefully inadequate space in county facilities. Some county governments provide no office space at all and refuse to provide rented office space outside county facilities.

Disputes have not only concerned whether or not office space will be provided at all, they have included where and what space will be provided. Either because of economic necessity or in passive resistance to their obligation, some counties house the Public Defender in woefully inadequate facilities. Public Defenders have endured the indignities of insect infestation, lack of privacy, leaky roofs, and cramped quarters, to name a few.

Counties simply have no interest in the adequacy of the Public Defender facilities, especially when they don't want to provide space at all. Most of our offices serve multiple counties. It is a logistical nightmare to have to get multiple commissioners in multiple counties to sign off on every change to a lease involving one of our offices. (including no less than 33 commissioners in our Chillicothe office, which covers 11 counties!) A number of counties refuse to provide or pay for additional space to accommodate growing defender staff, a problem that will greatly multiply if additional staffing is forthcoming in this legislative session. While MSPD has not received any additional staffing for the past 6 years, we do move positions among offices based upon growing / dropping caseload.

Some of the results:

- ♦ Attorneys doubled up in offices, making a confidential client meeting impossible;
- ♦ Attorneys literally setting up an office in the telephone / computer server closet, as well as taking over all public space in the office –break room, conference room, library – so that these generally standard areas in a law office are no longer available anywhere within in the office;
- ♦ Having to install locks on all filing cabinets and moving them into a public hallway to free up space for staff to squeeze in another desk;
- ♦ MSPD picking up the difference in the rent for additional essential space in a few situations despite a lack of funding for that purpose.
- ♦ Counties fight with MSPD and among themselves when more than one county covered by an office has available 'free' county space and doesn't want to contribute cash to another county instead. These disputes have escalated to lawsuits between counties on at least one occasion.
- ♦ Some counties flatly refusing to pay any rent for an office not located in their county, with the result that MSPD must pick up their portion of the lease cost, despite a lack of funding for this purpose. There is a provision for the state to intercept prisoner per diem reimbursement costs to cover unpaid county liabilities for public defender office space. MSPD tried to invoke this at one point in the past, but was asked by the then gubernatorial administration to forego the remedy because of the hostility being caused between the state and the counties as a result of the intercept.
- ♦ Receiving an eviction notice because six counties refused to pay, between them, a total increase of \$48.67 per month imposed by the landlord. To prevent the eviction, MSPD agreed to pay the difference.
- ♦ Some counties provide space that is in very poor shape and unfit for a law office. We have been placed in office space where the ceiling tiles were crumbling onto the attorneys' desks, where the 'closed file room' was a basement with a dirt floor that turned to mud with every rain, in offices with asbestos, cockroaches, and termite infestations. Such unsuitable and difficult working conditions undoubtedly contribute to our turnover, as well as to reduced productivity, yet MSPD's hands are tied.
- ♦ The State picks up parking expenses for all of its employees working in areas where free parking is not available at their office space – all but its public defenders. The governor's veto of parking funds for public defenders this past session posited that parking costs were the responsibility of the counties who provided the office space. The counties say it is not their re-

sponsibility and refuse to pay it. The state's public defenders are left forking over \$75 a month to pay for parking while the judges making three times their salary have their parking paid.

The State Public Defender is not interested in securing fancy, luxurious offices. It's interest is to have facilities adequate to ensure efficient, effective use of personnel and other resources appropriated to the Department.

Most Public Defender districts are multi-county. Since the current statute requires each county to pay their pro rata share, inter-county cooperation is essential. It is not always forthcoming.

Although establishment of Public Defender offices is the authority of the State Public Defender Commission, (RSMo. 600.023), counties have sought to provide office space at the location of their choice; typically their own county. They have refused to pay their pro rata share to the host county when they are unhappy with the office location. On at least one occasion, these county disputes have risen to the point of lawsuits being filed.

The State Public Defender Commission is interested in locating offices in multi-county Districts where they will be the most effective and efficient use of state resources. Counties do not share that interest, preferring the office to be located where it will cost the least and have the most positive economic impact on their local economy, efficiency and the desires of other counties and the State Public Defender notwithstanding.

In summary, the current statutory scheme requires counties to cooperate with each other, and with this Department, to provide office space for a Department of State Government. They do so under the threat of prisoner per diem interceptions. It is a formula for conflict between the State Public Defender and counties, as well as between counties of multi-county districts. The problem is sure to get worse in the future. The caseload projections for fiscal year 2009 exceed 93,000. Moreover, a three year trend shows public defender caseload is decreasing in city offices, while it is up sharply in nearly all multi-county districts. More cases will mean more personnel. Under the current statute, Missouri's Public Defender Commission is unable to establish and/or expand offices as needed, where needed.

The physical plant of local public defender offices varies greatly, depending upon the ability and/or willingness of local county governments to provide office space. Some public defender offices have adequate space, which greatly enhances their efficiency. Other offices have woefully inadequate space and their ability to effectively and efficiently accomplish their mission is greatly reduced. Under the current statute, the administration can do little to ensure the adequacy and uniformity of office space in local public defender offices.

The Office of the State Public Defender currently has 179 employees located in metropolitan areas where they are required to pay for their own parking. During the last legislative session, the Senate Appropriations Committee added an amount of money to cover this expense to our employees. The Conference Committee agreed, but the funding was again vetoed by the Governor stating that under Section 600.040.1, RSMo these expenses are the responsibility of the participating counties.

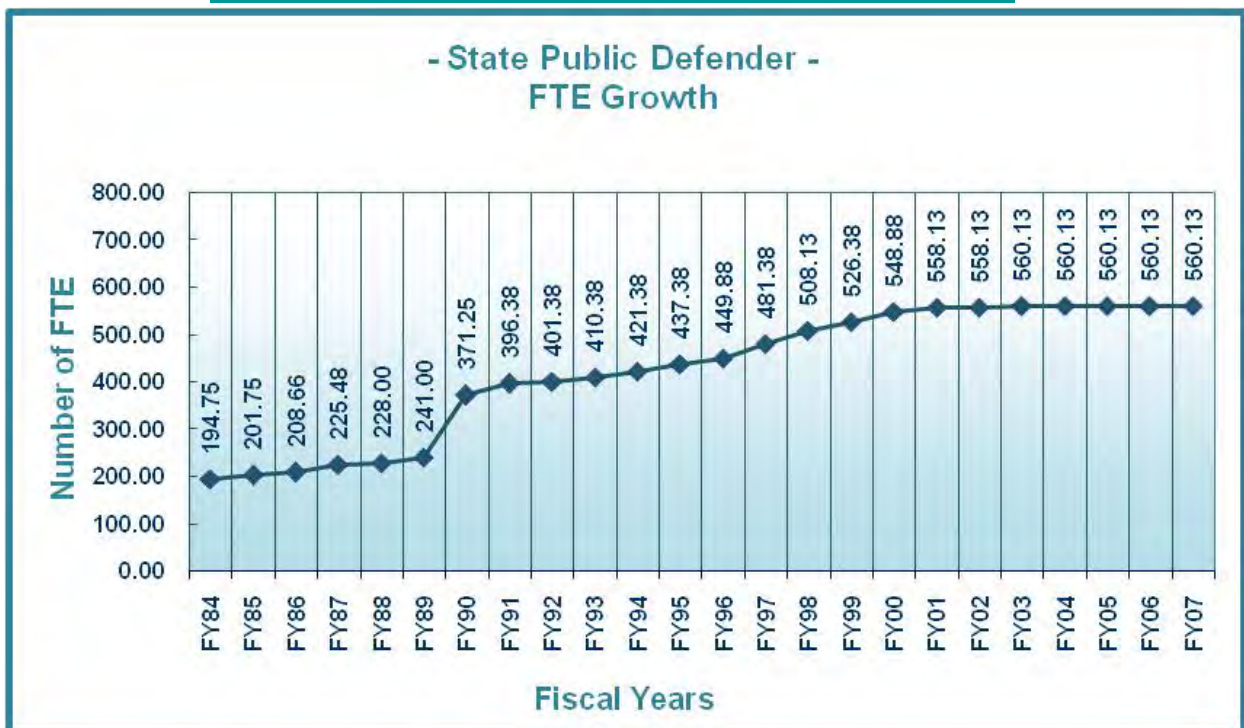
We are asking that this decision item be reconsidered since the state currently pays for parking for judges and other judicial employees who, like public defenders, are state employees but work in facilities that are provided by the county. Public defenders are the ONLY state employees who have to pay their own parking, a situation that is markedly unfair when others employed

by the same state government who work just down the hall in the same courthouse have their parking paid for them.

A change in the legislation, specifically repealing portions of RSMo. 600.040.1, is recommended. Although probably adequate at the time the public defender system was first organized, this Department has grown far beyond its humble beginnings and the original intent of RSMo. 600.040.1.

The legislature, judiciary and public demand a swift, efficient administration of justice. In order to meet that demand, the Missouri Public Defender System needs adequate, efficient physical plants in all its offices. This need is simply not being met under the current statutory scheme.

Fiscal Year	Number of FTE	Fiscal Year	Number of FTE
FY83	200.30	FY96	449.88
FY84	194.75	FY97	481.38
FY85	201.75	FY98	508.13
FY86	208.66	FY99	526.38
FY87	225.48	FY00	548.88
FY88	228.00	FY01	558.13
FY89	241.00	FY02	558.13
FY90	371.25	FY03	560.13
FY91	396.38	FY04	560.13
FY92	401.38	FY05	560.13
FY93	410.38	FY06	560.13
FY94	421.38	FY07	560.13
FY95	437.38	FY08	560.13



Cost of Renting Office Space for All Local Public Defender Offices

Revised August 30, 2007

		Est.	Estimated	Estimated	Janitor/		
Office		Sq. Ft	Total Rent	Utilities	Trash	Total Cost	Comment
Kirksville	CL	1,777	\$11,400	\$0	\$1,200	\$12,600	Counties Lease - Inadequate - Expired
Maryville	CL	1,590	\$8,400	\$0	\$1,200	\$9,600	Counties Lease
St. Joseph	CL	5,400	\$27,000	\$0	\$0	\$27,000	County Lease
Liberty	CO	3,856	\$52,056	\$0	\$0	\$52,056	In County Owned Space
Hannibal	CL	2,394	\$34,644	\$0	\$0	\$34,644	Counties Lease
St. Charles	CO	3,295	\$49,425		\$0	\$49,425	In Courthouse
Fulton	CL	3,440	\$27,500	\$5,504	\$0	\$33,004	Counties Lease
Columbia	CO	3,895	\$62,500	\$0	\$3,000	\$65,500	In County Owned Space - Inadequate
Moberly	CL	1,822	\$26,724	\$2,915	\$1,200	\$30,839	Counties Lease
Sedalia	CL	2,500	\$21,000		\$2,520	\$23,520	Counties Lease - Lease Expired
Kansas City	CL	13,000	\$300,000	\$0	\$0	\$300,000	County Lease - Lease Expires 12/31/2006
Harrisonville	CL	2,718	\$36,840	\$4,349	\$3,600	\$44,789	Counties Lease
Jefferson City	CO	2,635	\$35,573	\$0	\$0	\$35,573	County Owned Space
Union	CL	2,500	\$37,500		\$1,500	\$39,000	Counties Lease - Inadequate - Expired
St. Louis County	CO	11,053	\$250,000	\$17,685	\$0	\$267,685	In Courthouse
St. Louis City	CO	12,644	\$300,000	\$20,230	\$37,440	\$357,670	In Carnahan Courthouse
Hillsboro	CO	1,964	\$26,514	\$0	\$0	\$26,514	In Courthouse
Farmington	CL	2,833	\$33,996	\$0	\$1,200	\$35,196	Counties Lease
Rolla	CL	2,854	\$23,400	\$4,566	\$2,100	\$30,066	Counties Lease
Lebanon	CL	3,050	\$20,400		\$2,100	\$22,500	Counties Lease
Nevada	CL	1,590	\$19,080		\$0	\$19,080	Counties Lease - Inadequate- Expired
Carthage	CO	3,920	\$60,000	\$6,272	\$3,000	\$69,272	In County Owned Space -Inadequate
Bolivar	CL	1,550	\$13,200	\$2,480	\$6,000	\$21,680	Counties Lease
Springfield	CL	5,100	\$102,563		\$2,100	\$104,663	Counties Lease
Jackson	CO	2,409	\$32,522		\$2,160	\$34,682	In County Owned Space
Caruthersville	CL	1,964	\$23,568		\$960	\$24,528	Counties Lease - Expired
Kennett	CL	1,777	\$21,324		\$600	\$21,924	Counties Lease
Poplar Bluff	CO	2,692	\$32,304		\$0	\$32,304	County Owned Space
West Plains	CL	1,777	\$10,800	\$2,843	\$1,500	\$15,143	Counties Lease
Monett	CL	1,898	\$13,200	\$3,037	\$1,680	\$17,917	Counties Lease
Chillicothe	CL	2,085	\$23,220		\$1,860	\$25,080	Counties Lease
Ava	CL	1,777	\$21,324	\$2,843	\$1,920	\$26,087	Counties Lease - Inadequate -Expired
Troy	CO	1,186	\$14,232	\$0	\$0	\$14,232	In County Owned Space
Columbia Defenderplex	SL		\$250,000	\$0	\$0	\$250,000	State Public Defender Pays
St. Louis Defenderplex	SL	10,788	\$259,171	\$0	\$0	\$259,171	State Public Defender Pays
KC Defenderplex	SL	7,319	<u>\$91,872</u>	\$0	\$0	\$91,872	State Public Defender Pays
		133,052	\$2,373,251	\$72,725	\$78,840	\$2,524,816	CO=County Owned
		Less: Current Agency Payments				\$601,043	SL= State Lease
							CL= County Leases
		Total Implementation Costs				\$1,923,773	

**- Public Defender Offices -
Where Employees Currently Pay for Parking.**

	# of Employees	State Pays	Balance
St. Charles Trial Office	9	1	8
300 N. Second Street			
St. Charles			
Columbia Trial Office	19	2	17
601 E. Walnut			
Columbia			
Jackson County Trial Office	51	5	46
Oak Tower, 20th Floor			
324 E. 11th Street			
Kansas City			
St. Louis County Trial Office	25	4	21
100 S. Central, 2nd Floor			
Clayton			
St. Louis City Trial Office	46	5	41
Mel Carnahan Courthouse			
1114 Market St, Ste 602			
St. Louis			
St. Louis Appellate Office	19	3	16
Grand Central Building			
1000 St. Louis Union Station, Ste 300			
St. Louis			
Kansas City Appellate Office	12	2	10
Scarritt Building, Suite 200			
818 Grand Avenue			
Kansas City			
St. Louis Capital Litigation	13	3	10
1000 St. Louis Union Station, Ste 300			
St. Louis, MO			
Kansas City Capital Litigation	8	2	6
Scarritt Building, Suite 200			
818 Grand Avenue			
Kansas City			
	202	27	175

Cost Detail

Parking costs an average of \$80 per month per employee.

$\$80 * 12 \text{ months} * 175 \text{ employee} = \$168,000.$

Electronic Discovery

MSPD and the Missouri Office of Prosecution Services [MOPS] are jointly requesting funds to implement an automated system for electronic exchange of case discovery documents as part of a new case management system – Prosecutor by Karpel -- which MOPS is rolling out to Missouri prosecuting attorneys throughout the state.

Currently, MSPD staff and/or attorneys spend significant amounts of time going to prosecuting attorney's offices to copy case-related documents (police and lab reports, photographs, etc.) In other areas, it is the prosecutor's office which expends staff time, as well as copier, paper, and postage costs, in making and mailing copies to the public defender on the case. This automated system would eliminate those costs for both the prosecutors and public defenders, as well as improving the timely exchange of discovery information between the parties, and providing each party an electronic record of the date and time discovery is provided and received.

This decision item sets forth only the costs to MSPD of making the necessary changes to its own internal case management system so that it will interface with the system being implemented in the prosecutors' offices without compromising the confidentiality of MSPD's client and case files. MOPS, in turn, is requesting its costs for implementation of this same program in its budget request.

Cost Breakdown

The initial costs of setting up the networking and application development will be approximately \$5,500. The demand on our Wide Area Network (WAN) due to this cooperative initiative will be monitored closely. MSPD's WAN may need to be upgraded to handle the increased volume of files transmitted.

Increased Court Reporter Fees

SENATE BILL NO. 163 of the 94TH GENERAL ASSEMBLY—2007, Section 488.2250 increased the payments to court reporters for transcripts of testimony given or proceedings had in any circuit court. Effective August 28th and thereafter, for each transcript requested or portion thereof, the rate for each original page prepared will be increased from \$1.50 to \$2.00. The cost of the copy remains twenty cents per page.

This new legislation increases the cost of court reporters utilized by the Office of the State Public Defender - both official and those used for depositions in criminal proceedings. Each fiscal year the public defender spends approximately \$750,000 for transcripts and depositions.

In fiscal year 1999 the responsibility for payment to court reporters for transcripts in indigent cases was transferred to the Office of the State Public Defender. The amount transferred from the judiciary was \$405,000. Although caseloads have increased from 73,738 in FY99 to 88,532 in FY07, there has not been any increase to the amount of funds available in the Public Defender's appropriations to pay court reporters.

Cost per original increases from \$1.50 to \$2.00 per page – or an increase of 33.33%. Approximately 70% of the total expenditures is for the original page. The balance of the \$750,000 would be for the 3 copies required by the statute.

Cost Detail

Fiscal Year 2009

$\$750,000 * 70\% = \$525,000$ for originals. The cost goes from \$1.50 to \$2.00 or a 33% increase = \$174,825 for a full fiscal year.

Supplemental Fiscal Year 2008

$\$750,000 * 70\% = \$525,000 * 33.33\% * 83.33\% \text{ of Fiscal Year 2008} = \$145,680$

Increased Operating Costs

Since Fiscal Year 2005, the state rate of reimbursement for mileage traveled in personal vehicles has increased from \$.345 per mile to \$.455 per mile. Each fiscal year since 2005 public defenders have traveled an average of 2,283,975 miles to provide effective representation to their clients.

In addition, postage rates have increased from \$.34 for a first-class stamp to \$.41 for the same first-class stamp. This 7 cent increase represents a 20% increase in postage costs to MSPD.

The increased cost of mileage from Fiscal Year 2005 is 11 cents per mile or a total cost to MSPD of \$251,237. The increased cost of postage is 20% or \$135,000 or \$27,000.

No monies have been requested or added to the Legal Services Appropriation to cover these increased costs.

Cost Detail

Fiscal Year 2009

Travel = 2,283,975 miles * \$.11 * 70% = \$251,237

Postage = \$135,000 * 20% = \$27,000.

MISSOURI STATE PUBLIC DEFENDER SYSTEM

DIRECTOR, DEPUTY DIRECTOR & DIVISION DIRECTORS

J. Marty Robinson, Director
Kathleen L. Lear, Comptroller
231 E. Capitol Avenue
Jefferson City, MO 65101
573-526-5210 FAX: 573-526-5213

Dan Gralike, Deputy Director
Peter Sterling, General Counsel
Greg Mermelstein, Division Director
Woodrail Centre
1000 West Nifong—Building &, Suite 100
Columbia, MO 65201
573-882-9855 FAX: 573-884-4020

Cathy Kelly, Deputy Director
Karen Kraft, Division Director
Ellen Blau, Deputy Trial Division Director
1000 St. Louis Union Station
Suite 300
St. Louis, MO 63103
314-340-7662 FAX: 314-340-7666

TRIAL DIVISION OFFICES

**Area 2 -- Adair, Knox, Schuyler,
Scotland Counties**
Kevin Locke, District Defender
705 E. LaHarpe, Suite C
Kirksville, MO 63501
660-785-2445 FAX: 660-785-2449

**Area 4 -- Andrew, Atchison, Gentry, Holt,
Nodaway, Worth Counties**
Jeff Stephens, District Defender
Northside Mall
115 East Fourth Street, Suite 5
Maryville, MO 64468
660-582-3545 FAX: 660-562-3398

Area 5 -- Buchanan County
Michelle Davidson, District Defender
120 South 5th Street, 2nd Floor
St. Joseph, MO 64501
816-387-2026 FAX: 816-387-2786

Area 7 -- Clay, Clinton, Platte Counties
Anthony Cardarella, District Defender
234 West Shrader
Liberty, Missouri 64068
816-792-5394 FAX: 816-792-8267

**Area 10 -- Clark, Lewis, Marion, Monroe,
Ralls, Shelby Counties**
Todd Schulze, District Defender
201 North Third Street
Hannibal, MO 63401
573-248-2430 FAX: 573-248-2432

Area 11 -- St. Charles, Warren Counties
Richard Scheibe, District Defender
300 N. Second Street, Suite 264
St. Charles, MO 63301
636-949-7300 FAX: 636-949-7301

**Area 12 -- Audrain, Callaway,
Montgomery Counties**
Justin Carver, District Defender
500 Market Street
Fulton, MO 65251
573-592-4155 FAX: 573-642-9528

Area 13 -- Boone County
Kevin O'Brien, District Defender
601 E. Walnut
Columbia, MO 65201
573-882-9701 FAX: 573-882-9147

**Area 14 -- Chariton, Howard, Linn,
Macon, Randolph Counties**
Ray Legg, District Defender
3029 County Road 1325
Moberly, MO 65270
660-263-7665 FAX: 660-263-2479

**Area 15 -- Cooper, Lafayette, Pettis,
Saline Counties**
Kathleen Brown, District Defender
110 S. Limit
Sedalia, MO 65301
660-530-5550 FAX: 660-530-5545

MISSOURI STATE PUBLIC DEFENDER SYSTEM

Area 16 -- Jackson County

Joel Elmer, District Defender
Oak Tower, 20th Floor
324 E. 11th Street
Kansas City, MO 64106-2417
816-889-2099 FAX: 816-889-2999

Area 17 -- Bates, Cass, Henry, Johnson, St. Clair Counties

Jeffrey Martin, District Defender
1300 Locust Street, Suite A
Harrisonville, MO 64701
816-380-3160 FAX: 816-380-7844

Area 19 -- Cole, Miller, Monitteau, Osage Counties

Jan King, District Defender
210 Adams Street
Jefferson City, MO 65101
573-526-3266 FAX: 573-526-1115

Area 20 -- Franklin, Gasconade Counties

Lisa Preddy, District Defender
4-B S. Church Street
Union, MO 63084
636-583-5197 FAX: 636-583-1740

Area 21 -- St. Louis County

Laura O'Sullivan, District Defender
100 S. Central, 2nd Floor
Clayton, MO 63105
314-615-4778 FAX: 314-615-0128

Area 22 -- St. Louis City

Mary Fox, District Defender
Mel Carnahan Courthouse
1114 Market Street, Suite 602
St. Louis, MO 63101
314-340-7625 FAX: 314-340-7595

Area 23 -- Jefferson County

Tony Manansala, District Defender
P.O. Box 156
300 Main Street
Hillsboro, Missouri 63050
636-789-5254 FAX: 636-789-5267

Area 24 -- Iron, Madison, Reynolds, St. Francois, Ste. Genevieve, Washington Counties

Wayne Williams, District Defender
Liberty Hall Professional Building
400 N. Washington Street, Suite #232
Farmington, MO 63640
573-218-7080 FAX: 573-218-7082

Area 25 -- Crawford, Dent, Maries, Phelps, Pulaski, Texas Counties

Jahnel Lewis, District Defender
1212-A Hwy. 72 East, Suite 4
Rolla, MO 65401
573-368-2260 FAX: 573-364-7976

Area 26 -- Camden, Laclede, Morgan Counties

Carie Comstock, District Defender
288 Harwood
Lebanon, MO 65536
417-532-6886 FAX: 417-532-6894

Area 28 -- Barton, Cedar, Dade, Vernon Counties

Joe Zuzul, District Defender
121 W. Cherry
Nevada, MO 64772
417-448-1140 FAX: 417-448-1143

Area 29 -- Jasper, McDonald, Newton Counties

Darren Wallace, District Defender
115 Lincoln Street
Carthage, MO 64836
417-359-8489 FAX: 417-359-8490

Area 30 -- Benton, Dallas, Hickory, Polk, Webster Counties

Dewayne Perry, District Defender
800 East Aldrich Road
Suite E
Bolivar, Missouri 65613
417-777-8544 FAX: 417-777-3082

MISSOURI STATE PUBLIC DEFENDER SYSTEM

**Area 31 -- Christian, Greene,
Taney Counties**
Rodney Hackathorn, District Defender
630 North Robberson
Springfield, MO 65806
417-895-6740 FAX: 417-895-6780

**Area 32 -- Bollinger, Cape Girardeau,
Mississippi, Perry, Scott Counties**
Christopher Davis, District Defender
215 North High Street
Jackson, MO 63755
573-243-3949 FAX: 573-243-1613

**Area 34 -- New Madrid,
Pemiscot Counties**
Brandon Sanchez, District Defender
407 Walker Avenue
Caruthersville, MO 63830
573-333-4066 FAX: 573-333-0756

Area 35 -- Dunklin, Stoddard Counties
Catherine Rice, District Defender
P.O. Box 648
101 S. Main
Kennett, MO 63857
573-888-0604 FAX: 573-888-0614

**Area 36 -- Butler, Carter, Ripley,
Wayne Counties**
Steven Lynxwiler, District Defender
218 North Broadway
Poplar Bluff, MO 63901
573-840-9775 FAX: 573-840-9773

**Area 37 -- Howell, Oregon,
Shannon Counties**
Donna Anthony, District Defender
1314 Webster Street
West Plains, MO 65775
417-257-7224 FAX: 417-257-7692

**Area 39 -- Barry, Lawrence,
Stone Counties**
Clate Baker, District Defender
P.O. Box 685
305 Dairy
Monett, MO 65708-0685
417-235-8828 FAX: 417-235-5140

**Area 43 -- Caldwell, Carroll, Daviess, DeKalb,
Grundy, Harrison, Livingston, Mercer,
Putnam, Ray, Sullivan Counties**
David Miller, District Defender
500 Youssef
Chillicothe, MO 64601
660-646-3343 FAX: 660-646-4228

**Area 44 -- Douglas, Ozark,
Wright Counties**
Linda McKinney, District Defender
P.O. Box 951
202 NW 11th Avenue
Ava, MO 65608
417-683-5418 FAX: 417-683-5820

Area 45 -- Lincoln, Pike Counties
Thomas Gabel, District Defender
240 West College
Troy, MO 63379
636-528-5084 FAX: 636-528-5086

COMMITMENT DEFENSE UNIT

Tim Burdick, District Defender
Jim Griffin, Attorney
Oak Tower, 20th Floor
324 E. 11th Street
Kansas City, MO 64106-2417
816-889-2099 Fax: 816-889-2999

Amy Clay, Attorney
Michelle Monahan, Attorney
100 South Central, 2nd Floor
Clayton, MO 63105
314-615-4778 FAX: 314-615-0128

MISSOURI STATE PUBLIC DEFENDER SYSTEM

APPELLATE/PCR DIVISION

Appellate Central District

Ellen Flottman, District Defender
Woodrail Centre
1000 West Nifong—Building &, Suite 100
Columbia, MO 65201
573-882-9855 FAX: 573-882-4793

PCR Central District

Steve Harris, District Defender
Woodrail Centre
1000 West Nifong—Building &, Suite 100
Columbia, MO 65201
573-882-9855 FAX: 573-882-9468

Appellate/PCR Eastern District (A)

Scott Thompson, District Defender
1000 St. Louis Union Station-Suite 300
St. Louis, MO 63103
314-340-7662 FAX: 314-340-7685

Appellate/PCR Eastern District (B)

Renee Robinson, District Defender
1000 St. Louis Union Station-Suite 300
St. Louis, MO 63103
314-340-7662 FAX: 314-421-7685

Appellate/PCR Western District (A)

Susan Hogan, District Defender
818 Grand, Suite #200
Kansas City, MO 64106
816-889-7699 FAX: 816-889-2088

Appellate/PCR Western District (B)

Ruth Sanders, District Defender
818 Grand, Suite #200
Kansas City, MO 64106-2865
816-889-7699 FAX: 816-889-2088

CAPITAL LITIGATION DIVISION

Central District

Janice Zembles, District Defender
Woodrail Centre
1000 West Nifong—Building &, Suite 100
Columbia, MO 65201
573-882-9855 FAX: 573-884-4921

Eastern District

Robert Wolfrum, District Defender
1000 St. Louis Union Station-Suite 300
St. Louis, MO 63103
314-340-7662 FAX: 314-340-7666

Western District

Thomas Jacquinet, District Defender
818 Grand, Suite #200
Kansas City, MO 64106
816-889-7699 FAX: 816-889-2088

MISSOURI STATE PUBLIC DEFENDER COMMISSION

Loramel P. Shurtleff, Chair
Attorney at Law
309 West Burnam Road
Columbia, MO 65203

Eric Barnhart
818 Lafayette Ave.
St. Louis, MO 63104
PHONE: (314) 231-0777
FAX (314) 231-3704

Muriel Brison
5945 Old Zero Road
Berger, MO 63014
PHONE: 573-486-2152

Bishop Willie J. Ellis
5939 Goodfellow
St. Louis, MO 63147
PHONE: 314-381-5730

Kenneth Hensley
Attorney at Law
P.O. Box 614
405 West 58 Highway
Raymore, MO 64083
PHONE: 816-322-4466
FAX: 816-322-3379 (call first)

Miller Leonard
351 (A) Main Street
Platte City, MO 64079
816-298-0250

Rebecca Stith
Attorney at Law
3718 Wyoming Street
St. Louis, MO 63116
(314) 539-7917
FAX (314) 539-7895

[Missouri State Public Defender System](#)

J. Marty Robinson, Director
State Public Defender
231 E. Capitol Avenue
Jefferson City, MO 65101
PHONE: 573-526-5210
FAX: 573-526-5213

Missouri State Public Defender Web Site

<http://www.publicdefender.mo.gov>